



AGENDA

Garden Grove City
Council

Tuesday, May 23, 2017

6:30 PM

Community Meeting
Center, 11300 Stanford
Avenue, Garden Grove,
CA 92840

Steven R. Jones

Mayor

Phat Bui

Mayor Pro Tem - District 4

Kris Beard

Council Member - District 1

John R. O'Neill

Council Member - District 2

Thu-Ha Nguyen

Council Member - District 3

Stephanie Klopfenstein

Council Member - District 5

Kim B. Nguyen

Council Member - District 6

Meeting Assistance: Any person requiring auxiliary aids and services, due to a disability, to address the City Council, should contact the City Clerk's Office 72 hours prior to the meeting to arrange for accommodations. Phone: (714) 741-5040.

Agenda Item Descriptions: Are intended to give a brief, general description of the item. The City Council may take legislative action deemed appropriate with respect to the item and is not limited to the recommended action indicated in staff reports or the agenda.

Documents/Writings: Any revised or additional documents/writings related to an item on the agenda distributed to all or a majority of the Council Members within 72 hours of a meeting, are made available for public inspection at the same time (1) in the City Clerk's Office at 11222 Acacia Parkway, Garden Grove, CA 92840, during normal business hours; (2) on the City's website as an attachment to the City Council meeting agenda; and (3) at the Council Chamber at the time of the meeting.

Public Comments: Members of the public desiring to address the City Council are requested to complete a **pink speaker card** indicating their name and address, and identifying the subject matter they wish to address. This card should be given to the City Clerk prior to the start of the meeting. General comments are made during "Oral Communications" and should be limited to matters under consideration and/or what the City Council has jurisdiction over. Persons wishing to address the City Council regarding a Public Hearing matter will be called to the podium at the time the matter is being considered.

Manner of Addressing the City Council: After being called by the Mayor, you may approach the podium, it is requested that you state your name for the record, and proceed to address the City Council. All remarks and questions should be addressed to the City Council as a whole and not to individual Council Members or staff members. Any person making impertinent, slanderous, or profane remarks or who becomes boisterous while addressing the City Council shall be called to order by the Mayor. If such conduct continues, the Mayor may order the person barred from addressing the City Council any further during that meeting.

Time Limitation: Speakers must limit remarks for a total of (5) five minutes. When any group of persons wishes to address the City Council on the same subject matter, the Mayor may request a

spokesperson be chosen to represent the group, so as to avoid unnecessary repetition. At the City Council's discretion, a limit on the total amount of time for public comments during Oral Communications and/or a further limit on the time allotted to each speaker during Oral Communications may be set.

PLEASE SILENCE YOUR CELL PHONES DURING THE MEETING.

AGENDA

ROLL CALL: COUNCIL MEMBER BEARD, COUNCIL MEMBER O'NEILL, COUNCIL MEMBER T. NGUYEN, COUNCIL MEMBER KLOPFENSTEIN, COUNCIL MEMBER K. NGUYEN, MAYOR PRO TEM BUI, MAYOR JONES

INVOCATION

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

1. PRESENTATIONS

- 1.a. Community Spotlight: In recognition of Fire Captain Mark Weiss, Fire Engineer Mike Rieth, and Firefighter/Paramedic Andrew Roach for going above and beyond the call of duty.

2. ORAL COMMUNICATIONS (to be held simultaneously with other legislative bodies)

RECESS

CONDUCT OTHER LEGISLATIVE BODIES' BUSINESS

RECONVENE

3. CONSENT ITEMS

(Consent Items will be acted on simultaneously with one motion unless separate discussion and/or action is requested by a Council Member.)

- 3.a. Adoption of a Proclamation honoring the 15th Anniversary of the Buena Clinton Youth and Family Center. *(Action Item)*
- 3.b. Adoption of a Resolution authorizing the appropriation and expenditure of funds or use of gifts donated to the City. *(Action Item)*
- 3.c. Approval of a First Amendment to the Agreement with the Municipal Water District of Orange County for Participation in Water Conservation Rebate Programs. *(Action Item)*
- 3.d. Award of contract to Southern California Landscape, Inc., to install a decomposed granite fitness trail at Eastgate Park. (Cost: \$146,000) *(Action Item)*
- 3.e. Authorize the issuance of a purchase order to Fairview Ford Sales

Incorporated for one (1) utility truck. (Cost: \$37,070.44) (*Action Item*)

- 3.f. Authorize the issuance of a purchase order to Coastline Equipment Company for one (1) heavy duty equipment trailer. (Cost: \$50,876.59) (*Action Item*)
- 3.g. Award of contract to Nichols Consulting Engineers to provide a City-wide Pavement Management Program for Fiscal Years 2017/18 through 2020/21. (Cost: \$127,312) (*Action Item*)
- 3.h. Receive and file minutes from the meeting held on May 9, 2017. (*Action Item*)
- 3.i. Approval of warrants. (*Action Item*)
- 3.j. Approval to waive full reading of Ordinances listed. (*Action Item*)

4. PUBLIC HEARINGS

(Motion to approve will include adoption of each Resolution unless otherwise stated.)

- 4.a. Adoption of Resolutions adopting a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program; approving General Plan Amendment No. GPA-001-2017; and authorizing a request to initiate proceedings for the Lewis Street reorganization with the City of Orange; Introduction and first reading of Ordinances approving Planned Unit Development No. PUD-006-2017 and Development Agreement No. DA-006-2017 to facilitate a proposed 70-unit Small Lot Subdivision at 12901 Lewis Street.

Ordinances entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING PLANNED UNIT DEVELOPMENT NO. PUD-006-2017 TO AMEND THE CITY'S OFFICIAL ZONING MAP TO CHANGE THE ZONING FOR THE PORTION OF THE PROJECT SITE THAT IS LOCATED WITHIN THE CITY OF GARDEN GROVE AND TO "PRE-ZONE" THE PROPERTIES TO BE ANNEXED TO RESIDENTIAL PLANNED UNIT DEVELOPMENT ZONING (PUD-006-2017) WITH R-1 (SINGLE-FAMILY RESIDENTIAL) BASE ZONING; and

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF GARDEN GROVE AND CHRIST CATHOLIC CATHEDRAL FACILITIES CORPORATION FOR PROPERTY LOCATED ON THE NORTHWEST CORNER OF LEWIS STREET AND GARDEN GROVE BOULEVARD AT 12901 LEWIS STREET, ASSESSOR'S PARCEL NOS. 231-041-26, 231-041-27, 231-041-28 AND 231-255-01. (*Action Item*)

- 4.b. Introduction and first reading of an Ordinance approving Amendment No. A-017-2017 to amend portions of Title 9 of the

Municipal Code pertaining to accessory dwelling unit regulations and maintaining the ban on cannabis activities consistent with recent changes to state law, and repealing Chapter 5.85.

Entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING AMENDMENT NO. A-017-2017 AMENDING PORTIONS OF TITLE 9 (ZONING CODE) AND REPEALING CHAPTER 5.85 OF THE GARDEN GROVE MUNICIPAL CODE ADOPTING ACCESSORY DWELLING UNIT REGULATIONS AND MAINTAINING THE BAN ON CANNABIS ACTIVITIES CONSISTENT WITH RECENT CHANGES TO STATE LAW. (*Action Item*)

- 4.c. Introduction and first reading of an Ordinance approving Amendment No. A-018-2017 to amend Title 9 of the Municipal Code to update the definitions, operating conditions, and development standards pertaining to crematoriums, mortuaries, funeral homes, and cemeteries.

Entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING AMENDMENT NO. A-018-2017, A ZONING TEXT AMENDMENT TO PORTIONS OF CHAPTERS 9.04, 9.16, AND 9.18 OF TITLE 9 OF THE GARDEN GROVE MUNICIPAL CODE PERTAINING TO CREMATORIALS, MORTUARIES, FUNERAL HOMES, AND CEMETERIES. (*Action Item*)

5. ITEMS FOR CONSIDERATION

- 5.a. Award of a 60-month lease and maintenance contract to So Cal Office Technologies for 27 multi-function copiers. (Cost: \$644,869.55) (*Action Item*)
- 5.b. Approval of the First Amendment to the Agreement with the County of Orange to provide forensic services. (Cost: \$525,153) (*Action Item*)

6. MATTERS FROM THE MAYOR, CITY COUNCIL MEMBERS, AND CITY MANAGER

- 6.a. Adoption of a Resolution opposing State Assembly Bill 22 as requested by the City Council. (*Action Item*)
- 6.b. Discussion regarding proposed service augmentations to the City's paramedic program as requested by City Manager Stiles.

7. ADJOURNMENT

The next Regular City Council Meeting will be held on Tuesday, June 13, 2017, at 5:30 p.m. at the Community Meeting Center, 11300 Stanford Avenue, Garden Grove, California.

City of Garden Grove

INTER-DEPARTMENT MEMORANDUM

To: Scott C. Stiles From: Kim Huy
Dept.: City Manager Dept.: Community Services
Subject: Adoption of a Proclamation honoring the 15th Anniversary of the Buena Clinton Youth and Family Center. (*Action Item*) Date: 5/23/2017

Attached is a Proclamation honoring the 15th anniversary of the Buena Clinton Family Resource Center recommended for adoption.

ATTACHMENTS:

Description	Upload Date	Type	File Name
Proclamation	5/17/2017	Backup Material	BC_s_15th_Anniversary_Proclamation-1.pdf

CITY OF GARDEN GROVE
PROCLAMATION

Honoring the 15th Anniversary of the
Buena Clinton Youth and Family Center

WHEREAS, 2002 marked the opening of the Buena Clinton Family Resource Center facility, today, known as the Buena Clinton Youth and Family Center, a resource center for Garden Grove's youngest population and most ethnically diverse neighborhoods; and

WHEREAS, With the assistance from the City of Garden Grove, the Buena Clinton Youth and Family Center equips residents in the neighborhood with resources and opportunities that provide no-cost to low-cost programs and services focused on youth enrichment, safety, and community involvement and mobilization; and

WHEREAS, The Buena Clinton Youth and Family Center's key focus is to encourage residents to take responsibility and create a positive change for their neighborhood; become aware of the various resources available to them; provide educational programming, career training opportunities, and support and counseling; and overall, enhance the quality of life for the community; and

WHEREAS, Today, the Buena Clinton Youth and Family Center's efforts to heighten the neighborhood's image, create a sense of place, and build a sustainable community has revitalized and modernized what was once the city's most challenged areas; and

WHEREAS, The City of Garden Grove commends the Buena Clinton Youth and Family Center for the valuable role they have played over the past 15 years in strengthening and enriching the lives of the individuals and families that make up the Buena Clinton neighborhood.

NOW, THEREFORE, BE IT PROCLAIMED, that the Garden Grove City Council does hereby venerably honor and congratulate the Buena Clinton Youth and Family Center for 15 years of dutifully serving the Buena Clinton area.

May 23, 2017

Mayor

City Council

City of Garden Grove

INTER-DEPARTMENT MEMORANDUM

To:	Scott C. Stiles	From:	Kingsley Okereke
Dept.:	City Manager	Dept.:	Finance
Subject:	Adoption of a Resolution authorizing the appropriation and expenditure of funds or use of gifts donated to the City. (<i>Action Item</i>)		
		Date:	5/23/2017

OBJECTIVE

For the City Council to adopt a Resolution authorizing the appropriation and expenditure of funds or use of gifts donated to the City for the purposes for which they were donated.

BACKGROUND

The City of Garden Grove from time to time receives cash donations and gifts for its various public programs. Many times, the donations are directed for a specific purpose or program. For example, the Police Department has received cash donations towards the purchase of a police dog for its K-9 unit.

Because expenditure of the donations or gifts for the purposes for which they were donated does not affect the General Fund, but alleviates the burdens to the City, staff recommends that the City Council authorize the expenditure of the donations and use of gifts for the specific purposes or programs designated by the donor(s) without further action of the City Council. Otherwise, the use of the cash or gifts would have to be included in the City's budget or specifically appropriated during the year. Because receipt of donations is not predictable over time, and because donations for a specific program or purpose could not be used for any other purpose, it would be more efficient for the City Council to authorize the appropriation and expenditure of such donations as they are received or as the programs are being implemented.

DISCUSSION

The attached Resolution authorizes the City Manager or his designee to approve the expenditure of donations for the purposes for which they were donated, provided that the expenditures for any one program does not exceed \$50,000 in any fiscal year. In the event that the proposed total funds to be allocated and spent for a specific program exceed \$50,000 in any one fiscal year, the proposed allocation or expenditure of funds will be presented to the City Council for consideration.

FINANCIAL IMPACT

None.

RECOMMENDATION

It is recommended that the City Council:

- Adopt the Resolution authorizing the appropriation and expenditure of funds or use of gifts donated to the City for the purposes for which they were donated.

ATTACHMENTS:

Description	Upload Date	Type	File Name
Resolution	5/8/2017	Resolution Letter	GG_RESOLUTION_AUTHORIZING_THE_EXPENDITURE_OF_FUNDS_DONATED_TO_THE_CITY_MAY_2017.docx

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE AUTHORIZING THE APPROPRIATION AND EXPENDITURE OF FUNDS OR USE OF GIFTS DONATED TO THE CITY FOR THE PURPOSES FOR WHICH THEY WERE DONATED.

WHEREAS, the City of Garden Grove from time to time receives cash donations and gifts for its various public programs.

WHEREAS, the donations may be directed for a specific purpose or program.

WHEREAS, the City Council wishes to authorize the expenditure of cash donations and use of gifts for the specific purposes or programs designated by the donor(s) without further action of the City Council subject to the terms hereof.

NOW, THEREFORE, BE IT RESOLVED that the City Manager or his/her designee is hereby authorized to approve the appropriation and expenditure of funds or use of gifts donated to the City without further action of the City Council provided the same are used for the purpose designated by the donor, and the total amount of funds in question for a specific program does not exceed \$50,000.00 in any one fiscal year. In the event the proposed total funds to be allocated and spent exceed \$50,000.00 in any one fiscal year, the proposed allocation or expenditure of funds shall be presented to the City Council for approval.

PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF GARDEN GROVE THIS _____ DAY OF MAY, 2017.

City of Garden Grove

INTER-DEPARTMENT MEMORANDUM

To:	Scott C. Stiles	From:	William E. Murray
Dept.:	City Manager	Dept.:	Public Works
Subject:	Approval of a First Amendment to the Agreement with the Municipal Water District of Orange County for Participation in Water Conservation Rebate Programs. (<i>Action Item</i>)		
		Date:	5/23/2017

OBJECTIVE

To receive City Council approval for an amendment to the agreement with the Municipal Water District of Orange County (MWDOC) for the City's continued participation in Water Conservation Rebate Programs.

BACKGROUND

Since 2007, the City has entered into agreements with MWDOC for the participation in several water conservation programs. These programs have contributed to the City's success in water conservation. In addition to offering an incentive to its customers, the conservation programs assist the City in meeting the goals of Senate Bill X7-7, which calls for a 20 percent reduction in water consumption by 2020. In terms of conservation, the City's annual water production has been reduced to approximately 22,000 acre-feet, from 33,000 acre-feet. Even though the City is no longer mandated to meet conservation targets, Garden Grove customers are still conserving each month. Since 2015, the City has reduced water usage by nearly 20 percent.

In 2015, the City entered into an agreement with MWDOC that combined all of the conservation programs and incentives into one agreement. Addendums to this agreement will be issued for changes involving MWDOC Board approved items, grant funding, and changes to incentive programs, including funding and incentive levels. The City's approved contribution to the program was in the amount not to exceed \$42,000.

DISCUSSION

Limited grant funding, provided through MWDOC, is available to cover customer rebates. However, two rebate programs require City contribution for inspection costs. The following describes the two rebate programs and the associated costs:

- The Turf Removal Rebate Program provides residential and commercial customers with rebates for replacing turf with drought tolerant plants or artificial turf. The total rebate available is \$1 per square foot for residential and commercial customers. Rebate funding is provided through MWDOC directly to participating customers. The agreement explains program requirements for pre- and post-turf removal inspections that are required for all applicants. In addition, participating agencies are required to specify on the agreement if agency staff or MWDOC's contracted consultant, Mission Resource Conservation District (MRCD), are responsible for conducting both inspections. Due to limited staff time and expertise, the City has chosen to obtain MRCD's services to perform both inspections. The cost per customer to have MRCD perform the inspections on behalf of the City is \$222.
- The Spray to Drip Irrigation Rebate Program provides residential customers with rebates for converting existing spray irrigation to a drip irrigation system. The total rebate available is \$175 per kit. Rebate funding is provided through MWDOC directly to participating customers. Similarly to the Turf Removal Rebate Program, pre- and post-drip conversion inspections are required for all applicants. The cost per customer to have MRCD perform the inspections on behalf of the City is \$222.

As mentioned previously, Garden Grove customers are effectively reducing their water usage. As a result, City water revenues have been impacted. Therefore, the City desires to discontinue its participation in the Turf Removal and the Spray to Drip Irrigation Rebate Programs until revenues are steady. At this time, there are 18 Garden Grove customers on the waitlist for the Turf Removal Rebate Program and 0 customers on the waitlist for the Spray to Drip Irrigation Rebate Program. The City has designated a funding cap of \$3,996 to process those on the waitlist before formally discontinuing participation in the two programs. Additionally, the agreement amendment was created to make certain changes to provisions regarding detailed verification of the installation of items and devices installed as part of certain water conservation incentive programs.

FINANCIAL IMPACT

This program will be funded from the Water Enterprise Fund. There is no impact to the General Fund. Garden Grove's contribution for the program will not exceed \$3,996.

RECOMMENDATION

It is recommended that the City Council:

- Approve the Amendment to the agreement with the Municipal Water District of Orange County (MWDOC) for the City's participation in the Water Conservation

Rebate Programs;

- Authorize the Mayor to execute the Amendment on behalf of the City and to make minor modifications as appropriate thereto; and
- Authorize the Finance Director to approve payment to participate in the Water Conservation Rebate Programs to MWDOC, not to exceed \$3,996.

By: Katie Victoria, Senior Administrative Analyst

ATTACHMENTS:

Description	Upload Date	Type	File Name
First Amendment to Agreement	5/10/2017	Backup Material	First_Amendment_and_Attachment_A_Final.pdf
Addendum 3B Turf Participation	5/10/2017	Backup Material	Addendum_3B_-_Turf_FY_16-17.pdf
Addendum 3C Spray to Drip Participation	5/10/2017	Backup Material	Addendum_3C_FY_16-17_-_Drip.pdf

FIRST AMENDMENT TO WATER CONSERVATION PARTICIPATION AGREEMENT

This First Amendment to Water Conservation Participation Agreement ("First Amendment") is effective on July 1, 2016 ("Effective Date"), by and between the Municipal Water District of Orange County ("MWDOC") and _____ ("Participant Agency") MWDOC and Participant Agency may be collectively referred to as "Parties" and individually as "Party."

RECITALS

- A. MWDOC and Participating Agency entered into a Water Conservation Participation Agreement regarding the Participating Agency's participation in certain water conservation programs ("Agreement").
- B. The Parties now desire to amend the Agreement to make certain changes to provisions regarding verification of the installation of items and devices installed as part of certain water conservation incentive programs.

TERMS

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree to amend the Agreement as follows:

1. Amendment. Section J is added to the Recitals to read as follows:

"J. The purpose of this Agreement is also to acknowledge that Participating Agency is participating in MWDOC's Choice Water Use Efficiency Program ("WUE Program") and in doing so is agreeing to pay for its proportionate share of MWDOC's administrative and direct program costs of the WUE Program."
2. Amendment. Section 1 .7 is added to the Agreement to read as follows:

"1.7 Participating Agency understands that by entering into this Agreement it is participating in MWDOC's Choice Water Use Efficiency Program ("WUE Program") and agrees to pay MWDOC for its proportionate share of MWDOC's costs for administering the WUE Program based on Participating Agency's level of participation in the WUE Program. MWDOC will annually invoice Participating Agency."

3. Amendment. Section 6 is amended in its entirety to read as follows:

“Section 6: Installation Verification/Inspection

- 6.1 Participant Agency shall be responsible for conducting installation verifications/inspections of items and devices installed, distributed, and/or rebated by Participant Agency under Participant Agency Administered Programs to ensure compliance with program requirements, and/or for paying all costs associated with this verification/inspection. Installation verification/inspection measures must be designed to ensure that materials, installation verifications/inspections of eligible program items and devices, and services meet requirements established by Metropolitan and MWDOC, which requirements will be provided to Participant Agency by MWDOC as Attachment A.
- 6.2 Participant Agency shall be responsible for conducting installation verifications/inspections of items or devices installed, distributed, and/or rebated by Participant Agency or MWDOC under MWDOC Administered Programs to ensure compliance with program requirements, and/or for paying all costs associated with this verification/inspection. Installation verification/inspection measures for program items and devices must be designed to ensure that materials, installation verifications/inspections of eligible program items and devices, and services meet requirements established by Metropolitan and MWDOC, which requirements will be provided to Participant Agency by MWDOC as Attachment A.
- 6.3 Participant Agency may elect to (1) conduct its own installation verifications/inspections by either utilizing its in-house staff or contracting with a third party vendor of its choice; or (2) utilize MWDOC’s installation verification/inspection contractor to conduct the installation verification/inspections. If Participant Agency elects to utilize MWDOC’s verification/inspection vendor, Participant Agency may elect to contract directly with MWDOC’s verification/inspection vendor. If Participant Agency elects not to enter into such contract, MWDOC, in MWDOC’s sole discretion, may require that Participant Agency contract directly with MWDOC’s verification/inspection vendor.
- 6.3.1 Notwithstanding any other provision in this Agreement, Participant Agency understands and agrees that if Participant Agency utilizes MWDOC’s verification/inspection vendor, Participant Agency must still comply with all of the requirements of this Agreement, including the refund requirements in Section 6.6, and MWDOC is in no way liable or responsible for the acts or omissions of such vendor and makes no

representations or warranties regarding the quality of such vendor's work. Participant's sole recourse as to any action, claims or damages arising out of the acts or omissions of MWDOC's verification/inspection vendor is with the vendor and not with MWDOC.

- 6.4 MWDOC reserves the right to conduct installation verification/inspection of items and devices within Participant Agency's service area.
- 6.5 Participant Agency acknowledges that any item or device receiving funding from Metropolitan may be subject to an installation verification/inspection to be performed by Metropolitan, or its agent(s), at Metropolitan's discretion.
- 6.6 Participant Agency shall promptly refund to MWDOC any amounts paid under any Participant Agency Administered Program or MWDOC Administered Program for installed or distributed items or devices, including any grant funds, in the event MWDOC or Metropolitan establishes via installation verification/inspection and/or audit that the program items or devices were not installed in compliance with the requirements established by Metropolitan and MWDOC pursuant to this Agreement. If such a refund is not provided to MWDOC within thirty (30) days of request, the requested amount may be debited by MWDOC on Participating Agency's next water service invoice.
- 6.7 "Items" and "devices" includes, but is not limited to, plumbing fixtures, irrigation devices, turf (removal and replacement), and any other items, devices or materials that are installed in connection with a program covered by this Agreement.

4. Authority to enter into First Amendment. Each Party represents to the other that the person executing this First Amendment has the requisite power and authority to execute the First Amendment and to bind each respective Party.

5. Continuing Effect of Agreement. Except as amended by this First Amendment, all other provisions of the Agreement remain in full force and effect. From and after the date of this First Amendment, whenever the term "Agreement" appears in the Agreement, it shall mean the Agreement as amended by this First Amendment.

6. Execution in Counterparts. This First Amendment may be executed in duplicate counterparts, each of which shall be deemed an original.

MWDOC and Participating Agency have each caused this First Amendment to be executed by its duly authorized representative as of the date set forth below the authorized signature.

IN WITNESS WHEREOF, the Parties hereto have executed this First Amendment.

MUNICIPAL WATER DISTRICT
OF ORANGE COUNTY

PARTICIPANT AGENCY

By: _____
Robert Hunter
General Manager

Date: _____

Approved as to Form:

Joseph Byrne
General Counsel

Date: _____

By: _____
Name _____
Title _____

Date: _____

Approved as to Form:

General Counsel

Date: _____

MUNICIPAL WATER DISTRICT OF ORANGE COUNTY INSPECTION AND VERIFICATION PROCEDURES

Table of Contents

I.	Purpose of this document.....	2
II.	Program Implementation Process	2
	Application Package	2
	Invoice Submission.....	3
	Labor Costs.....	3
	Federal, State, and Local Laws and Ordinances.....	3
	Supplemental Inspections.....	4
	Inspection Confirmation Quality Control.....	4
III.	Device-Based Inspection Procedures.....	4
	Residential Devices	4
	Commercial Devices.....	5
	Spray to Drip - Residential	9
IV.	Area-Based Programs	11
	Turf Removal Participation Procedure.....	11
	General Inspection Procedures.....	12
	Pre-Inspection Procedures – Turf Removal	12
	On-Site Inspections for Area-Based Rebates	13
	Measuring Large Sites by GIS.....	13
	Condition of Turf at Pre-Inspection	13
	Multiple Applications under same Site.....	14
	Modifications to Initial Project Area	14
	Post-Inspection Procedures – Turf Removal.....	14
	Project Extensions.....	15
	Spray to Drip - Commercial.....	15
V.	Measurement Techniques	17
	Non-Uniform Rectangular.....	18
	Irregular Rhombus or Widening Rectangular	18
	Non-Uniform Round	19
	Non-Uniform Ellipses.....	20
	Non-Uniform Ellipses Alternate.....	21

I. Purpose of this document

It is the practice of the Municipal Water District of Orange County (MWDOC) to ensure that public funds used to administer Rebate Programs are utilized for its intended purposes. Therefore, the purpose of this Inspection and Verification Procedures document (Inspection Procedures) is to establish a clear set of inspection procedures to be followed by MWDOC and/or its member agencies (hereafter “Participant Agency”) and inspection contractors when conducting pre- and/or post-installation verification inspections for all MWDOC-Administered and or Participant Agency-Administered Rebate Programs. These procedures are required regardless of the funding source (Grant funded, Metropolitan Water District of Southern California funded (Metropolitan), or fully funded by Participant Agency, etc.) and/or regardless of program administrator (MWDOC or Participant Agency). This Inspection Procedures document will be updated as needed to reflect new or modified inspection requirements, techniques, or procedures as they arise.

II. Program Implementation Process

For ease of explanation, this document categorizes the MWDOC Rebate Programs into the following rebate program types:

- Device-Based Rebate Programs
 - Residential
 - Commercial
 - Spray to Drip - Residential
- Area-Based Rebate Programs
 - Turf Removal
 - Spray to Drip - Commercial

The inspection procedures contained in this document have been developed in coordination with requirements from Metropolitan pursuant to its Residential and Commercial Water Conservation Funding Agreements and Addendums thereto, MWDOC, and/or supplemental grant funding agreements.

The following general rules apply for all programs types.

Application Package

When receiving an application package, **all** components should be examined before requesting an inspection. The application package currently requires, at a minimum, a fully completed application signed by the property owner and containing the following:

- Current water bill to determine
 - Participant Agency is participating in the program
 - Project site is located within Orange County
 - Payee name matches the application name
- Device eligibility, if a device-based program
- Site plan for area-based rebates
 - Indicate the project area, location, and project intent
- Pictures of the site for area-based and spray-to-drip rebates. Pictures to show

- Current site condition
- Complete area to be removed
- Area complies with eligibility criteria

It is recommended that the application, terms and conditions, and program guidelines each contain language stating that on-site inspections will be performed and are required for participation in any rebate programs.

Invoice Submission

Rebates may not exceed the total project/equipment costs nor the reserved rebate amount. For a receipt/invoice to be considered eligible it must include the following:

- Dated within the project period
- Scope of work performed
- Signed by the customer/applicant/property owner and references site location (if applicable)
- Itemized to include make, model, sku, quantity, price per item, total price
- If labor is to be considered, it must be listed on a separate line item and must be accompanied by the California State Contractor License Board (CSCLB) contractor license number

Once projects are completed, invoices and receipts are submitted to the program administrator and MWDOC, all invoices and receipts are to be carefully tabulated by program administrator and MWDOC to prevent payment for materials/costs not associated with the program; specific program eligible material/costs are based on program type.

Labor Costs

Due to California state law, all sites that are invoiced at \$500.00 or more require that work be performed by a contractor licensed by the California State Contractor License Board (CSCLB). If labor costs are invoiced by someone who is not licensed, those costs are not eligible. This labor cost provision is consistent with state law but, most importantly, protects Orange County consumers from unlicensed contractors. Materials utilized by the unlicensed contractor may be considered eligible costs. Additionally, there have been some instances where costs for landscape architectural drawings were submitted, but the drawings were not performed by a California State Licensed Landscape Architect. Those costs are also not rebate-eligible.

Federal, State, and Local Laws and Ordinances

All projects, including projects at historic sites, are subject to the terms of their local agency's ordinances and must comply with all applicable federal, state, and local laws, as well as applicable Covenants, Conditions & Restrictions (CC&R) and/or Homeowners Association (HOA) restrictions. Applicants should obtain any necessary approvals for their projects from their city's/county's code enforcement and/or HOA/CC&R board. It is the responsibility of the each applicant to ensure their project is in compliance. Customers must agree to adhere to their local rules and provisions in order to accept funding. Questions from program participants regarding compliance with any of

the above laws, ordinances, and/or restrictions will be directed to Participant Agency for guidance.

Supplemental Inspections

Some sites may need to be re-inspected by MWDOC and/or Metropolitan when unique circumstances arise. At these times, communication with the customer is vital in order to remain in adherence with the program intent while ensuring that projects are successfully completed. All inspection and verification procedures and invoice criteria described in this document must be adhered to.

Inspection Confirmation Quality Control

Each Participant Agency performing their own inspections/verifications will be required to adopt these Inspection Procedures as their own or, alternatively, to develop and submit for approval by Metropolitan and/or MWDOC Participant Agency's own inspection and verification procedures document in line with the requirements and procedures contained in this document. All projects that require inspection must be inspected prior to Participant Agency invoicing MWDOC. MWDOC/Metropolitan may request inspection reports from Participant Agency at any time. Installation vendors hired for project implementation cannot inspect their own installations.

Metropolitan and/or MWDOC reserve the right to verify and perform onsite inspections of any projects at any time. This can be before, during, and/or after project installation, and/or after the rebate payment, and results of these inspections may affect payment made to Participant Agency or require a refund to be paid by Participant Agency to MWDOC. If installation cannot be verified, Participant Agency must reimburse MWDOC and/or Metropolitan depending on the source of funds.

III. Device-Based Inspection Procedures

For residential and commercial devices rebated through Metropolitan's regional rebate program, device-based inspections will be conducted solely by Metropolitan, at its discretion. For devices rebated through a MWDOC and/or a Participant Agency-Administered Program (MAA Program), the inspection procedures are set forth below.

Residential Devices

Residential device inspections must satisfy both the Metropolitan and MWDOC inspection procedures in place at the time of the post-inspection or issuance of the rebate check. Currently, those inspection procedures are as follows:

In order for Participant Agency to be reimbursed for incentives from MWDOC/Metropolitan, Participant Agency must certify on each invoice that the terms and conditions within each project have been met, all devices have been installed, and all work has been performed. The party signing each invoice must have signing authority to certify the invoice.

For residential device-based MAA Programs, Participant Agency will utilize the sample size calculator provided by MWDOC to assist in determining the appropriate number of devices to

inspect to ensure a 98% installation rate given the overall quantity of devices. Participant Agency must report verification/inspection method employed on each invoice submitted.

Participant Agency must:

- a. Validate quantity of devices installed.
- b. Verify new device type, make, and model with Project information.
- c. Verify Installation address or specific locations within the address with Project documentation.
- d. With permission from the customer, take photographs relating to the devices installed to be included in Inspection report.
 - i. Indoor Inspection: Indoor inspection includes detailed fixture count of toilets and clothes washer(s). Access to fixture locations (such as bathrooms and laundry facilities) are required to perform the inspection, and property owner/applicant person should be made aware of this through the application.
 - ii. Outdoor Inspection: Outdoor inspection includes detailed fixture counts of installed and operating landscape devices such as rain barrels, cisterns, irrigation controllers, residential drip, and nozzles. For irrigation controllers, inspect the model to ensure it matches the rebate application, verify that it is operating as a “smart device” and is communicating with the onsite weather station or is receiving offsite/remote weather data and, if possible, have the contact person show the inspector how the controller has been programmed, and confirm quantity of stations of timer model.

Commercial Devices

Commercial MAA Program device inspections must satisfy both the Metropolitan and MWDOC inspection procedures in place at the time of the post-inspection or issuance of the rebate check. Metropolitan may require Participant Agency to submit inspection reports for specific projects, and Metropolitan/MWDOC reserves the right to perform onsite inspections of projects/sites prior to payment.

To determine the amount of inspections required for commercial devices, Participant Agency must apply the following criteria (a-e below) to the project(s):

- a. Automatic Inspection: Regardless of the 5% rule listed in Section d below, Participant Agency must first determine if any site within the MAA Program Project requires an Automatic Inspection. Automatic Inspections are triggered when any site within an MAA Program Project has been approved for Metropolitan’s funding in excess of \$10,000. All sites receiving \$10,000 or more in funding must be automatically inspected by Participant Agency. Participant Agency must also notify MWDOC/Metropolitan within 3 to 5 business days of upcoming inspection by Participant Agency for site(s) exceeding \$10,000. MWDOC, Metropolitan or a designated representative may attend inspection. Notification of upcoming inspection to be sent to bfahl@mwdoc.com and maconservation@mwdh2o.com

To determine how many devices need to be inspected at a \$10,000+ site, follow the next two points.

- i. If the site triggering an Automatic Inspection also meets the criteria for a Large Project, as described below, then Participant Agency must inspect a minimum of 10% of the devices installed.
 - ii. If the site triggering an Automatic Inspection does not meet the criteria for a Large Project, then the Participant Agency must inspect 100% of devices at the site.
- b. Large Project/Sites: Participant Agency must next determine if any of the sites meet the definition of a Large Project/Site. Regardless of the 5% rule listed in Section d below, any site with less than \$10,000 in funding but that receives the designation of Large Project/Site **must** be inspected. The total number of devices to be inspected for Large Projects/Sites will be a minimum of 10% of the total devices installed at each site. If any site within your overall MAA Program Project installs any combination of the following number of devices, you must conduct an inspection of a minimum 10% of any combination of the devices installed.

Large Projects/Sites are defined as:

- i. For plumbing devices – 50 device units or more at one installation address.
 - ii. For irrigation controllers – 20 controllers or more at one installation address. Note that irrigation controllers may be installed in different landscape areas inside a single complex.
 - iii. For sprinkler nozzles – 100 nozzles or more at one installation address.
- c. Regular Projects/Sites: For sites not meeting: (a) \$10,000+ in funding per site or (b) the Large Project/Site criteria above, Participant Agency must inspect 100% of devices at the site.
- d. For each MAA Program Project that Participant Agency submits a Request for, Participant Agency must physically inspect a minimum of 5% of the value of each device-based MAA Program Project approved by MWDOC/Metropolitan before invoicing. For example if the MAA Program Project is approved for \$100,000, then a minimum of \$5,000 worth of devices must be inspected per MAA Program Project.
- e. Inspections for Regular Projects/Sites, sites defined as Automatic Inspections (mandatory), as well as those defined as Large Projects/Sites (mandatory) count towards the 5% (section d above) minimum of the value of each device-based MAA Program Project to be inspected. Participant Agency will report progress toward the 5% inspection requirement on each invoice for all inspections required by MWDOC/Metropolitan. The party signing each invoice must have signing authority to certify the invoice.

Inspection Requirements

Participant Agency inspection at a minimum will:

- a. Validate quantity of devices installed.

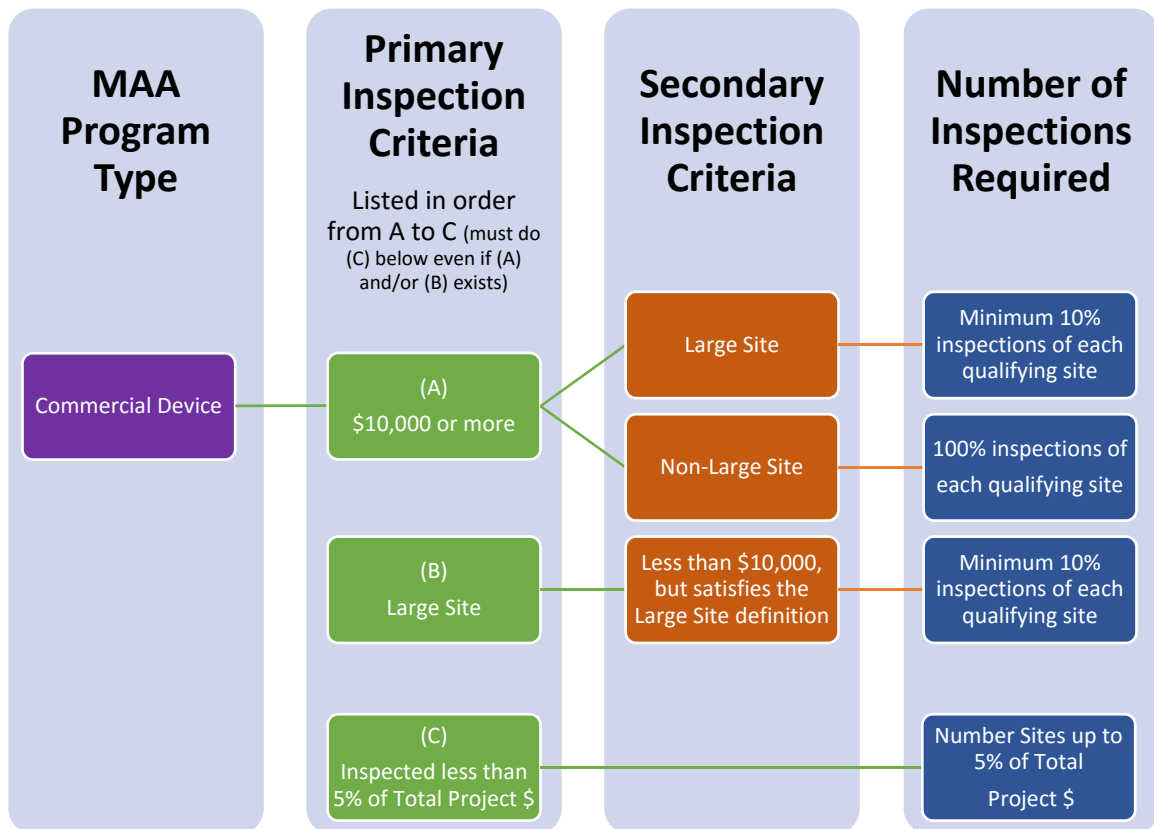
- b. Verify new device type, make, and model with Project information.
- c. Verify Installation address or specific locations within the address with Project documentation.
- d. With permission from the customer, take photographs relating to the devices installed to be included in Inspection report.
 - i. Indoor Inspection: Indoor inspection includes detailed fixture count of toilets, urinals, dry vacuum pumps, food steamers, ice machines. Access to bathrooms, kitchens, eating facilities, and medical facilities are required to perform the inspection and property owner/applicant should be made aware of this at the application stage.
 - ii. Outdoor Inspection: Outdoor inspection includes count of installed and operating landscape devices such as irrigation controllers and nozzles; and cooling tower controllers. Access to either landscape area or rooftop is required to perform the inspection. For irrigation controllers, inspect the model to ensure it matches the rebate application, verify that it is operating as a “smart device” and is communicating with the onsite weather station or is receiving offsite/remote weather data and, if possible, have the contact person show the inspector how the controller has been programmed, and confirm quantity of stations of timer model.

Potential Inspection Results

- a. Partial fail: Inspection completed with discrepancies between Project information and inspection process. Participant Agency to only bill MWDOC for verified quantity.
- b. Device(s) installed at a different location: the installation must be inspected prior to billing MWDOC. A substitute device cannot be included. If installation is verified at the different location, Project information must be revised to reflect new information.
- c. Device count is different from the application:
 - i. If the count is more, only the amount approved in the Project will be reimbursed.
 - ii. If the inspection count is less, only the verified count will be billed to MWDOC. For Large Projects where the inspection count is less, the Participant Agency inspector will increase the inspection from 10% to 20% of total installations. The percentage found to be installed for Large Projects will be applied against the total and the total quantity will be reduced by that percentage. For example, after inspecting 20% of the total installations of 100 toilets, 15 out of 20 toilets were verified installed (75% installed); then the final approved count would be 75 toilets (75% of the 100 = 75), rather than 100. If inspection reveals a discrepancy as described in the example, Participant Agency may choose to inspect 100% of the project, otherwise the extrapolation as shown on the example must be taken and the amount revised prior to billing MWDOC.

- d. The make/model is different from the application: verify that different make/model is a Metropolitan approved device. If so, inspect as usual and revise information on Project documentation prior to billing MWDOC.
- e. Failed inspections will not be billed to MWDOC. Reasons for failure:
- Device(s) not installed
 - Device(s) installed, but no working properly
 - For “smart” irrigation controllers, device(s) not operating as a “smart” device
 - Installed device(s) has been removed
 - Access to property not allowed
 - Device(s) installed at a different site.

MWDOC/Metropolitan reserves the right to verify and inspect any approved projects at any time. If installation cannot be verified, Participant Agency must reimburse MWDOC.



Spray to Drip - Residential

The residential portion of the Spray-to-Drip Rebate Program is a device-based program with different inspection requirements and criteria than other device-based inspections. The inspection requirements for residential Spray-to Drip Rebate projects are described below:

Pre-Inspection Procedure

Once an application is received, a project cannot be accepted and no funding is reserved until a “pre-inspection” is conducted, as follows:

MWDOC reviews the application to confirm:

- Program application is completed in full
- A copy of a current water bill is attached and confirms that
 - Participant agency is participating in the program
 - Project site is located within Orange County
 - Payee name matches the application name
- Applicant has attached 3 to 5 photos of the project area taken with the existing sprinkler system turned on. Photos must clearly show the sprinkler system in use and that the spray heads are functional. Photos must also contain identifying features (house in background, unique landscape/decorating features, etc.) to confirm that photos submitted are for the property/site listed in the application.
- The number of drip “kits” the applicant is applying/eligible for.
- A simple site plan has been attached indicating the proposed spray-to-drip conversion areas
- Any supplemental documents included have been reviewed.

Once MWDOC confirms that the application is complete and satisfies the above requirements, MWDOC forwards the application to the Participant Agency to conduct its own review and approval utilizing the steps listed above.

If the application has satisfied all of the above requirements, a Project Approval Notice is generated by MWDOC/Participant Agency and emailed to the applicant. The funding is reserved at this point and cannot increase. However, the funding amount may decrease if the applicant installs less drip equipment than was specified on the application or if the costs of the equipment are less than anticipated. Should the application fail the pre-inspection process, the application will be denied. MWDOC reserves the right to conduct, or to require Participant Agency to conduct, an on-site pre-inspection of any Spray-to Drip application should MWDOC, in its best judgment, deem it necessary to do so.

Post-Inspection Procedure

Once the Spray-to-Drip Project is complete, applicant completes the Spray to Drip Completion form to request an on-site post-inspection. Prior to scheduling the post-inspection, the Completion Form will be reviewed by MWDOC to confirm the following:

- Completion Form is completed in full.
- Payee Name and Mailing Address for Rebate Check is provided.
- Applicant has attached at least 3 completed conversion area pictures showing:

- Wide angle view of completed project area(s)
- Close-up(s) of installed pressure regulation/filtration component(s)
- Close-up(s) of installed drip tubing
- Applicant has attached copies of any project related receipts or invoices. For a receipt/invoice to be considered eligible it must include the following:
 - Dated within the project period.
 - Signed by the customer/applicant/property owner and includes the site location, scope of work, and costs.
 - Itemized to include make, model, sku, quantity, price per item, total price.
 - The actual quantity of drip “kits” purchased and the quantity of kits eligible for rebate.
 - Labor is not reimbursable and must be listed as a separate line item.

If the Completion Form is missing or does not comply with the requirements of any of the above, MWDOC/Participant Agency shall work with the applicant to obtain the information and or appropriate photos/documents prior to scheduling the post-inspection. If applicant is unable to provide receipts/invoices that meet the requirements set forth above, the post-inspection will be considered a fail, the application will be denied, no rebate will be issued, and no on-site post-inspection should be scheduled.

If the Completion Form has satisfied all of the above requirements, MWDOC/Participant Agency and/or its inspector will work with Applicant to schedule the mandatory on-site post-inspection. The purpose of the on-site post-inspection is to serve as an independent verification of the information contained in the Completion Form. As part of the on-site post-inspection, Participant Agency/inspector must verify the following:

- That drip irrigation equipment has been installed. For residential on-site post-inspection, if microspray, point-source emitters, or any other type of drip irrigation other than embedded emitter tubing has been installed, this must be noted and photographed. Only embedded emitter tubing installations are eligible for rebates in residential settings.
- That pressure regulation/filtration components have been installed as part of the drip conversion. Manufacturer/make, model, model number/sku, and quantity should be documented, and the equipment should be photographed.
- That drip tubing has been installed. The drip tubing should be photographed. If covered, a minimum of a 10-foot section must be uncovered for the photograph.
- That spray irrigation is no longer functional in the drip conversion area(s). Any remaining spray heads in the conversion area must be capped (no exceptions).

Once the on-site post inspection is complete, Participant Agency will complete the Rebate Check Authorization form, in full, and upload all photos and documentation. Once the Check Authorization form has been submitted, it will be reviewed by MWDOC, along with copies of all

receipts and invoices, and if the spray-to-drip project has satisfied all the terms, conditions, guidelines, and requirements of the program, the application will be processed for rebate. If all the terms, conditions, guidelines, and requirements of the program have not been satisfied, the post-inspection will be considered a fail, and the application will be denied and no rebate funds will be issued.

MWDOC reserves the right to conduct or attend any on-site post-inspection of any Spray-to Drip application should MWDOC, in its best judgment, deem it necessary to do so.

IV. Area-Based Programs

Area-based programs include any program where the rebate amount is determined by an area measurement. Such programs currently include, but are not limited to, residential and commercial Turf Removal and commercial Spray to Drip.

Turf Removal Participation Procedure

The Turf Removal Rebate Process, as it currently exists, is depicted in the following chart. The process flow is broken down into 11 distinct steps starting with the Customer Application Submittal and ending with Metropolitan and Participant Agency Invoicing. The 11 steps are as follows:

Step 1: On-line Application and Document Submittal Process

Performed by the Customer

Step 2: Application Review Process and Pre Inspection Distribution

Performed by MWDOC

Step 4: Pre-Installation Inspection Process

Performed by Participant Agency or Inspection Vendor and sent to MWDOC for review

Step 5: Notice to Proceed or Denial Letter to Customer Process

Performed by MWDOC

Step 6: Participant Project Installation and Project Completion Notification

Performed by Customer

Step 7: Initial Project review, Post-Work Order Generation and Distribution

Performed by MWDOC

Step 8: Post-Installation Inspection Process

Performed by Participant Agency, MWDOC, or Inspection Vendor and sent to MWDOC for review

Step 9: Application Approval or Denial and Invoice Review Process

Performed by MWDOC

Step 10: The Rebate Check Run and W-9 Request Process

Performed by MWDOC

Step 11: Metropolitan Water District and Participant Agency Invoicing Process

Performed by MWDOC

General Inspection Procedures

For all customer types, all sites will be measured by the Participant Agency and or its inspector for 100% of the sites for 100% of the project areas during both the pre- and post-inspections. Required minimum techniques for area measurements are described in Section V - Measurement Techniques. All inspection procedures/verifications must adhere to the following additional inspection and certification requirements:

- Residential Area-Based Inspections: For residential area-based customers with an approved Metropolitan rebate amount exceeding \$5,000, Participant Agency or inspection vendor must notify MWDOC/Metropolitan within 3 to 5 business days of upcoming post-inspection(s) by Agency. MWDOC, Metropolitan or a designated representative may attend inspection. Notification of upcoming inspection to be sent to turfremoval@mwdoc.com.
- Commercial Area-Based Inspections: For commercial area-based customers with an approved Metropolitan rebate amount exceeding \$10,000, Participant Agency must notify MWDOC/Metropolitan 3 to 5 business days prior to upcoming post-inspection(s) by Agency. MWDOC, Metropolitan or a designated representative may attend inspection. Notification of upcoming inspection to be sent to turfremoval@mwdoc.com.
- Participant Agency will only bill MWDOC/Metropolitan for the square footage measured.
- Participant Agency must adopt these Inspection Procedures as their own or, alternatively, to develop and submit for approval by Metropolitan and/or MWDOC Participant Agency's own inspection and verification procedures document in line with the requirements and procedures contained in this document. MWDOC/Metropolitan will require Participant Agency to submit them. MWDOC/Metropolitan may perform onsite inspections of projects prior to payment. Result of the inspection may affect payment made to Participant Agency
- All projects that require inspection must be inspected prior to Participant Agency invoicing MWDOC. MWDOC may request inspection reports from Participant Agency at any time.

Pre-Inspection Procedures – Turf Removal

After an application is received and the information has been verified, a project cannot be accepted and funding is not reserved until a “pre-inspection” is conducted by the Participant

Agency or by a vendor inspector. The pre-inspection on-site visit is a means to determine confirmation of eligibility. The pre-inspection process verifies that the project area contains live turf or sufficient evidence that live turf recently existed and that the requested square footage to be removed seems reasonable and consistent with the physical inspection. This requirement applies to both residential and commercial turf removal areas unless otherwise noted.

When establishing that areas are eligible, careful inspection with accurate, and precise measurements, as described in Section V, are always required. For Turf Removal, during the pre-inspection the total project area square footage is measured. Any non-eligible square footage is removed, such as non-turf areas including bare soil, trees, shrubs, mulch, paving, and utility box footprint, etc. Refer to specific program terms and conditions for eligibility criteria.

The square footage listed on the application is to be used as a reference, the initial project area is to be based on the square footage as measured during the pre-inspection. Once the initial project area square footage has been determined, that number is used to reserve funding, and a letter to proceed is generated and sent to the customer.

On-Site Inspections for Area-Based Rebates

Unless the program guidelines specifically state otherwise, on-site eligibility verification and area measurement for the pre-inspection is the method to be utilized by the inspection vendor as well as any Participant agency conducting its own inspection.

Measuring Large Sites by GIS

With extremely large sites (in excess of 50,000 sf) where physical measurements are difficult, aerial imagery is often employed to measure the site. In these circumstances a GIS measurement may only be used to measure the project area and a pre-inspection site visit is still required to ensure that the site meets all program conditions and requirements and is eligible to participate. This method is often referred to as a “spot-check” since the sites are checked for existing turf during the inspection, but measured separately using GIS.

If a site is measured by GIS, rather than through an on-site measurement technique, it must explicitly be noted on a work order or through an equivalent form for written communication from the Participant Agency/vendor inspector to MWDOC. Digital imagery must be saved and sent to MWDOC. There must still be confirmation that the site/area to be rebated contains live turf and that the requested footage to be removed seems reasonable and consistent with the aerial inspection

Condition of Turf at Pre-Inspection

If bare areas were included by the customer, the inspector must subtract those areas. In many cases, due to the drought or season, dormant or dead brown grass is present. Dormant or dead brown grass that appears to have been maintained in the recent past is still eligible. However sites where there is bare soil that appears compact and no turf was present in the recent past, are not eligible. In addition, moss areas where there is no turf or areas that have grown or mowed weeds would be ineligible. A lawn with weeds would still remain eligible. Photo documentation of the turf is required in order to approve the site. Photos of the entire area and detailed photos should

be taken showing turf and bare soil conditions. For large sites with multiple separated areas (or sub-areas), a map must be submitted identifying the area measured for each separate sub-area.

Multiple Applications under same Site

Residential sites have a lifetime maximum. Commercial sites have an annual maximum.

Modifications to Initial Project Area

In some instances a customer may want to swap turf removal areas/locations after a letter to proceed has already been sent and construction has begun. This is common in HOAs, Golf Courses, Parks, and other large sites, but occasionally occur with residential projects. There are many reasons for changes such as: HOA board decisions, public outcry, irrigation system delineation restrictions, or even finding out that some part of the property belongs to another entity (as is common in parkways along sidewalks, and around common area parks). When these changes occur, if the customer is simply removing an area to be renovated, no action is required. However, if a decision is made to swap an area with another, additional documentation and a second pre-inspection must occur and is required to ensure that the site is eligible and matches the area measurements. This documentation must include a new site plan and photos of the intended areas. At this point, because a letter to proceed has already been sent and construction has begun, the site eligible for a rebate may not increase in size. If construction has not begun, and the customer would like to increase the area of turf to be removed within program maximum square footage guidelines, a second pre-inspection must occur and is required to ensure that the site is eligible and matches the area measurements. If the swapping of one area for another occurs during the construction phase of the project and is not previously approved by MWDOC, the swapped area will not be eligible for rebate as it was not subject to the mandatory pre-inspection.

Post-Inspection Procedures – Turf Removal

For both residential and commercial projects, unless otherwise noted, once the letter to proceed has been issued, the initial project area square footage may not increase; however, it may decrease if the customer decides to remove less turf than what was measured.

After the customer has completed their project, a second on-site inspection (post-inspection) occurs to ensure that the renovated areas are in compliance with the program. Entire (100%) project re-measurement should occur during the post-inspection, utilizing the same techniques as employed during the pre-inspection measurement, with the exception of GIS. Negative deviations between the pre- and post-inspections area measurements, as well as swapped areas occurring without a proper pre-inspection and approval from MWDOC, will result in a reduction of the rebate eligible area (meaning the lesser area measurement will be the basis for the rebate). All projects must be inspected prior to Participant Agency invoicing MWDOC.

When establishing that areas are eligible, careful inspection with accurate, and precise measurements, as described in Section V, are always required. For Turf Removal, during the post-inspection the total converted area square footage must be measured. Any non-eligible square footage is removed, such as remaining-turf areas, bare soil, or non-permeable area including hardscape and pools. Refer to specific program terms and conditions for eligibility criteria.

The initial project area square footage established during the pre-inspection is to be used as a reference, the final project area is to be based on the square footage as measured during the post-inspection. Once the final project area square footage has been determined, that number is used to determine the actual potential rebate amount, so long as it does not exceed the total eligible project costs. Only that final project square footage measured by the Participant Agency/inspection vendor may be included in the payment request to MWDOC.

Project Extensions

In some instances, projects may experience delays. As all projects either have a 60 day deadline or 90 day deadline to complete their project, an extension may be requested. In all cases, extensions may only be granted to sites who are making progress to complete their project. Documentation or a site visit is often required for the purposes of verifying that progress is being made at a site. Examples of documentation are signed contracts with a landscape contractor, photos of the site with turf removed and work under way, or canceled checks to a contractor. This is an important step; if a site is not showing progress and there is no motivation to complete, it may be cancelled to allow the funding of other, more motivated, rebate customers.

Spray to Drip - Commercial

The commercial portion of the Spray-to-Drip Rebate Program is administered in a similar way to the residential portion, with the exception of the post-inspection requirements which are area-based. The inspection requirements for commercial Spray-to Drip Rebate projects are described below:

Pre-Inspection Procedure

Once an application is received, a project cannot be accepted and no funding is reserved until a "pre-inspection" is conducted, as follows:

MWDOC reviews the application to confirm:

- Program application is completed in full.
- A copy of a current water bill is attached and confirms that
 - Participant agency is participating in the program
 - Project site is located within Orange County
 - Payee name matches the application name
- Applicant has attached 5 to 10 photos of the project area taken with the existing sprinkler system turned on. Photos must clearly show the sprinkler system in use and that the spray heads are functional. Photos must also contain identifying features (buildings in the background, unique landscape/decorating features, etc.) to confirm that photos submitted are for the property/site listed in the application.
- Applicant has provided the square footage of the proposed spray-to-drip conversion area.
- A simple site plan has been attached indicating the proposed spray-to-drip conversion areas.
- Any supplemental documents included have been reviewed.

Once MWDOC confirms that the application is complete and satisfies the above requirements, MWDOC forwards the application to the Participant Agency to conduct its own review and approval utilizing the steps listed above.

If the application has satisfied all of the above requirements, a Project Approval Notice is generated by MWDOC/Participant Agency and emailed to the applicant. The funding is reserved at this point and cannot increase. However, the funding amount may decrease if the applicant installs less drip equipment than was specified on the application or if the costs of the equipment are less than anticipated. Should the application fail the pre-inspection process, the application will be denied. MWDOC reserves the right to conduct, or to require Participant Agency to conduct, an on-site pre-inspection of any Spray-to Drip application should MWDOC, in its best judgment, deem it necessary to do so.

Post-Inspection Procedure

Once the Spray-to-Drip Project is complete, applicant completes the Spray to Drip Completion form to request an on-site post-inspection. Prior to scheduling the post-inspection, the Completion Form will be reviewed by MWDOC to confirm the following:

- Completion Form is completed in full.
- Payee Name and Mailing Address for Rebate Check is provided.
- Applicant has attached at least 5 completed conversion area pictures showing:
 - Wide angle view of completed project area(s)
 - Close-up(s) of installed pressure regulation/filtration component(s)
 - Close-up(s) of installed drip tubing
- Applicant has attached copies of any project related receipts or invoices. For a receipt/invoice to be considered eligible it must include the following:
 - Dated within the project period
 - Signed by the customer/applicant/property owner and includes the site location, scope of work, and costs.
 - Itemized to include make, model, sku, quantity, price per item, total price. If microspray or point source emitters have been installed, the flow rate for each must be 2.5 gallons per hour or less, or per the terms and conditions of the Program.
 - Labor is not reimbursable and must be listed as a separate line item.

If the Completion Form is missing or does not comply with the requirements of any of the above, MWDOC/Participant Agency shall work with the applicant to obtain the information and or appropriate photos/documents/invoices prior to scheduling the post-inspection. If applicant is unable to provide photos/documents/invoices that meet the requirements set forth above, the post-inspection will be considered a fail, the application will be denied, no rebate will be issued, and no on-site post-inspection should be scheduled.

If the Completion Form has satisfied all of the above requirements, Participant Agency and/or its inspector will work with Applicant to schedule the mandatory on-site post-inspection. The purpose of the on-site post-inspection is to serve as an independent verification of the

information contained in the Completion Form. As part of the on-site post-inspection, Participant Agency/inspector must verify the following:

- The actual square footage of the conversion area. All commercial spray-to-drip sites will be measured by the Participant Agency and or its inspector for 100% of the sites for 100% of the spray-to-drip conversion areas during the post-inspections. The required minimum techniques for area measurements are described in Section V -Measurement Techniques.
- That drip irrigation equipment has been installed. The type of drip equipment (embedded emitter tubing/microspray/point source emitters must be noted and photographed.
- That pressure regulation/filtration components have been installed as part of the drip conversion. Manufacturer/make, model, model number/sku, and quantity should be documented, and the equipment should be photographed.
- That drip tubing has been installed. The drip tubing should be photographed. If covered, a minimum of a 20-foot section must be uncovered for the photograph.
- That spray irrigation is no longer functional in the drip conversion area(s). Any remaining spray heads in the conversion area must be capped (no exceptions).

Once the on-site post inspection is complete, Participant Agency will complete the Rebate Check Authorization form, in full, and upload all photos and documentation. Once the Check Authorization form has been submitted, it will be reviewed by MWDOC, along with copies of all receipts and invoices, and if the spray-to-drip project has satisfied all the terms, conditions, guidelines, and requirements of the program, the application will be processed for rebate. If all the terms, conditions, guidelines, and requirements of the program have not been satisfied, the post-inspection will be considered a fail, and the application will be denied and no rebate funds will be issued.

MWDOC reserves the right to conduct or attend any on-site post-inspection of any Spray-to Drip application should MWDOC, in its best judgment, deem it necessary to do so.

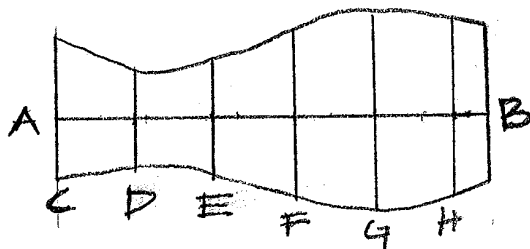
V. Measurement Techniques

When measuring sites, tape measurers remain the most accurate method of measurement. Measuring wheels are nearly as accurate when rolling on a flat surface such as concrete or asphalt. Measuring wheels on turf or shrub areas run the risk of being inaccurate. Tape measurers are recommended whenever uneven surfaces are encountered. For large sites, a map should be provided indicating all the turf areas intended for removal and all project areas should be measured and noted with square footage.

Odd shapes are often hard to measure accurately. A series of methods of measuring odd shapes have been reviewed and below are a listing of acceptable measurement techniques of odd shapes. Alternative measuring techniques must be submitted to MWDOC for review and approval prior to implementation and must be at least as accurate as the techniques listed here.

Non-Uniform Rectangular

First measure the length of the longest axis of the area (line AB). This is called the *length line*. Next, divide the length line into equal sections, for example 13 ft. At each of these points, measure the distance across the area in a line perpendicular to the length line at each point (lines C through G). These lines are called *offset lines*. Finally, average the lengths of all offset lines and multiply the result times line AB (65 ft. in this example). This is most notably different from the Non-Uniform Ellipse method in that exactly one of the left or right edges is measured, in this case line "C."



Example: Non-Uniform Rectangular

Length line (AB) = 65 ft

Distance between offset lines is 13 ft apart

Length of each offset line:

C = 20 ft F = 20 ft

D = 10 ft G = 25 ft

E = 15 ft H = 20 ft

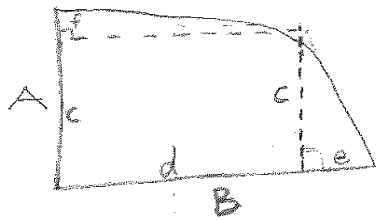
Average length of offset lines = $\frac{(C + D + E + F + G + H)}{(\text{Number of offset lines})}$

$$= (20 + 10 + 15 + 20 + 25 + 20) / 6$$
$$= 18.3 \text{ ft}$$

Total Area = (Length line)
x (Average length of offset lines)
= 65 ft x 18.3 ft
= 1192 ft²

Irregular Rhombus or Widening Rectangular

A fast way to measure irregular rhombi is shown in the example below. Stake one end of the measuring tape at point (A, B); measure line d and then line B. Without removing the stake measure line c and then line A. Using those four measurements you will be able to find line a and line b. The areas of triangle (ad), triangle (cb), and rectangle cd) can now be calculated.



Example: Irregular Rhombus or Widening Rectangular

Length of each line:

$$\begin{aligned} A &= 20 \text{ ft} & c &= 18 \text{ ft} \\ B &= 25 \text{ ft} & d &= 21 \text{ ft} \end{aligned}$$

$$\begin{aligned} \text{Line (f)} &= A - c & \text{Line (e)} &= B - d \\ &= 20 \text{ ft} - 18 \text{ ft} & &= 25 \text{ ft} - 21 \text{ ft} \\ &= 2 \text{ ft} & &= 4 \text{ ft} \end{aligned}$$

$$\begin{aligned} \text{Area (cd)} &= c \times d \\ &= 18 \text{ ft} \times 21 \text{ ft} \\ &= 378 \text{ ft}^2 \end{aligned}$$

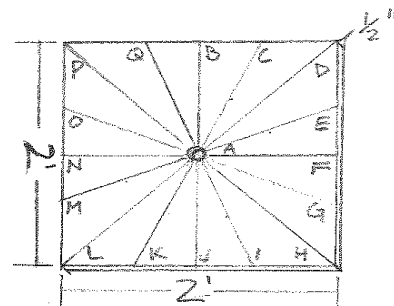
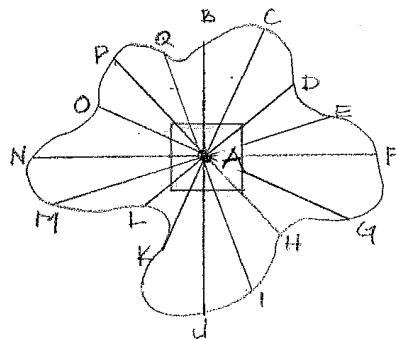
$$\begin{aligned} \text{Area (cb)} &= (c \times e) / 2 \\ &= (18 \text{ ft} \times 4 \text{ ft}) / 2 \\ &= 36 \text{ ft}^2 \end{aligned}$$

$$\begin{aligned} \text{Area (fd)} &= (f \times d) / 2 \\ &= (2 \text{ ft} \times 21 \text{ ft}) / 2 = 21 \text{ ft}^2 \end{aligned}$$

$$\begin{aligned} \text{Total Area} &= \text{Area (cd)} + \text{Area (ce)} + \text{Area (fd)} \\ &= 378 \text{ ft}^2 + 36 \text{ ft}^2 + 21 \text{ ft}^2 \\ &= 435 \text{ ft}^2 \end{aligned}$$

Non-Uniform Round

First measure 16 evenly spaced radii from the same center point (point A). This is called the *center point*. Next take the average of all the radii $(B + C + D + E + F + G + H + I + J + K + L + M + N + O + P + Q) / 16$. Use the average radii to calculate the area of a circle. (12.25 ft. in this example).

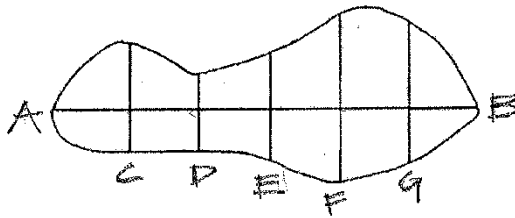


Board used for measuring

Example: Non-Uniform Round							
Length of each offset line:							
B = 10 ft	E = 12 ft	H = 10 ft	K = 9 ft	N = 16 ft	Q = 9 ft	C = 15 ft	F = 15 ft
I = 15 ft	L = 8 ft	O = 10 ft					
D = 10 ft	G = 13 ft	J = 17 ft	M = 15 ft	P = 12 ft			
Number of radii = 16							
Average length of offset lines							
= (B + C + D + E + F + G + H + I + J + K + L + M + N + O + P + Q)							
/ (Number of radii)							
= (10 + 15 + 10 + 12 + 15 + 13 + 10 + 15 + 17 + 9 + 8 + 15 + 16 + 10 + 12 + 9)							
/ 16							
= 12.25 ft							
Total Area = $\pi \times 12.25^2$ ft							
= 3.14 x 12.25 ft x 12.25 ft							
= 471 ft ²							

Non-Uniform Ellipses

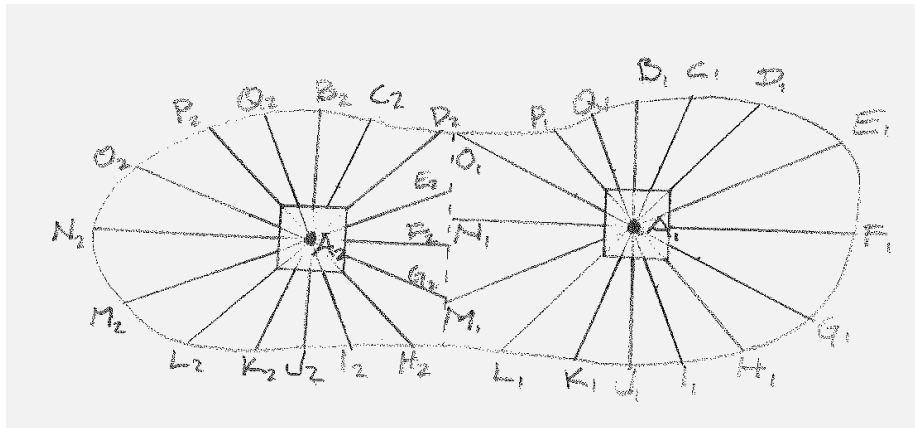
The method used for irregular shaped areas is called the "offset method". First measure the length of the longest axis of the area (line AB). This is called the *length line*. Next, divide the length line into equal sections, for example 10 ft. At each of these points, measure the distance across the area in a line perpendicular to the length line at each point (lines C through G). These lines are called *offset lines*. Finally, add the lengths of all offset lines and multiply the result times the distance that separates these lines (10 ft. in this example). This is most notably different from Non-Uniform Rectangular in that neither the left or right edges of the shape are measured in the ellipse.



Example: Non-Uniform Ellipse	
Length line (AB) = 60 ft	
Distance between offset lines is 10 ft apart	
Length of each offset line	
C = 15 ft	F = 25 ft
D = 10 ft	G = 20 ft
E = 15 ft	
Total length	
of offset lines = C + D + E + F + G	
= 15 + 10 + 15 + 25 + 20	
= 85 ft	
Total Area = (Distance between offset lines)	
x (sum of the length of offset lines)	
= 10 ft x 85 ft	
= 850 ft ²	

Non-Uniform Ellipses Alternate

An alternate method of measuring non-uniform ellipses is by dividing the ellipses in uniform parts and utilizing the non-uniform round method as described above. An example is shown below.



Addendum 3B FY 16-17
Turf Removal Rebate Program
Participant Agency Participation Authorization (Page 1 of 3)

Election to Participate/Not Participate in Turf Removal Rebate Program.

By checking the box below, _____ hereby elects to either:
Name of Participant Agency

Not participate in the Turf Removal Rebate Program

☐

or

Participate in the Turf Removal Rebate Program

Residential/Commercial/Public Agency

☐

Residential Only

☐

Commercial Only

☐

Public Agency Only

☐

Site Inspection; Election by Participant. Participant Agency must conduct mandatory, on site pre-turf and post-turf removal verifications/inspections on 100% of participating sites in its service area, as described in Amendment 1 to the Water Conservation Participation Agreement and the MWDOC Inspection and Verification Procedures document. Participant Agency may elect to (1) conduct its own pre-turf and post-turf removal verifications/inspections by utilizing its in-house staff (2) contract with a third party vendor of its choice to conduct the pre-turf and post-turf removal verifications/inspections; or (3) utilize MWDOC's installation verification/inspection contractor to conduct the pre-turf and post-turf removal verifications/inspections.

If Participant Agency elects to utilize MWDOC's verification/inspection vendor, Participant Agency may elect to contract directly with MWDOC's inspection vendor. Participant Agency understands and agrees that if Participant Agency utilizes MWDOC's verification/inspection vendor, Participant Agency must still comply with all of the requirements of the Water Conservation Participation Agreement, including the refund requirements in Section 6.6, and that MWDOC is in no way liable or responsible for the acts or omissions of such vendor and makes no representations or warranties regarding the quality of such vendor's work. Participant's sole recourse as to any action, claims or damages arising out of the acts or omissions of MWDOC's verification/inspection vendor is with the vendor and not with MWDOC.

By its initials below, _____ hereby elects to either:
Name of Participant Agency

Addendum 3B FY 16-17
Turf Removal Rebate Program
Participant Agency Participation Authorization (Page 2 of 3)

(1) Conduct its own inspections:

Initial Here

(2) Contract with its own third-party inspector:

Initial Here

**(3) Allow MWDOC to invoice Participant Agency
monthly for previous month's inspections:**

Initial Here

An authorized representative(s) of Participant Agency must approve all pre-turf and post-turf removal verification/inspection work orders, whether conducted by Participant Agency, a third-party vendor, or MWDOC's inspection contractor. Participant Agency shall designate its authorized representative(s) by completing Table 1 below. All authorized representative(s) identified in Table 1 must have signing authority with Participant Agency to certify that all information contained in the pre-turf and post-turf removal verification/inspection work orders is true and correct and to approve all rebate funding amounts.

Table 1
Designation by Participant Agency of Authorized Representative(s)

Name	Title

Election to Provide Supplemental Funding. Participant has the option to provide supplemental funding to customers in its service area to further incentivize participation in the Turf Removal Rebate Program. By completing Table 2 below, Participant Agency elects to provide supplemental funding for turf removal rebate incentives. Participant Agency acknowledges that it is responsible for managing its own rebate funding budget via the Droplet online portal. MWDOC will not be tracking the status of Participant's Agency funding.

Addendum 3B FY 16-17
Turf Removal Rebate Program
Participant Agency Participation Authorization (Page 3 of 3)

Table 2
Turf Removal Rebate Supplemental Funding

Turf Removal Rebate	Participant Agency Providing Supplemental Funding (x)	Participant Agency Supplemental Funding Amount per Square Foot of Turf Removed
Residential Turf Removal (One application per property address per lifetime)	<input type="checkbox"/> Yes <input type="checkbox"/> No	\$_____/sf Maximum of 1,000/sf
Commercial Turf Removal (One application per customer per year)	<input type="checkbox"/> Yes <input type="checkbox"/> No	\$_____/sf Maximum of 10,000/sf
Public Agency Turf Removal (One application per customer per year)	<input type="checkbox"/> Yes <input type="checkbox"/> No	\$_____/sf Maximum of 25,000/sf

By signing below, Participant Agency understands that it is obligated to pay any supplemental rebate funding amounts and vendor inspection fees, if selected, for any applications initiated during the term of this Addendum 3B, regardless of when the project is completed and the rebate check is issued.

This funding authorization is effective for applications received by MWDOC on or after May 4, 2016 and continues through June 30, 2017 or until a replacement Addendum is approved and implemented by MWDOC, whichever comes first. All invoicing shall be pursuant to the terms of the Water Conservation Participation Agreement. Incentives will not be applied retroactively. This funding authorization is effective only for the designated period or until a new authorization is received and approved by MWDOC. Each form submitted shall include the total authorization of the Agency for the specified time period.

Supplemental funding forms received by MWDOC by the 15th of a month shall become effective on the first day of the following month unless a later Start Date is specified.

By signing, Participant Agency agrees to these terms.

Participant Agency _____

Authorizing Signature General Manager /Designee

Date

Date received: _____ Approved by _____

Addendum 3C FY 16-17
Spray to Drip Irrigation Rebate Program
Participant Agency Participation Authorization (Page 1 of 3)

Election to Participate/Not Participate in Spray to Drip Irrigation Rebate Program.

By checking the box below, _____ hereby elects to either:
Name of Participant Agency

Not participate in the Spray to Drip Irrigation Rebate Program ☐

or

Participate in the Spray to Drip Irrigation Rebate Program

Residential/Commercial ☐ **Residential Only** ☐ **Commercial Only** ☐

Site Inspection; Election by Participant. Participant Agency must conduct mandatory, on site post-drip conversion verifications/inspections on 100% of participating sites in its service area, as described in Amendment 1 to the Water Conservation Participation Agreement and the MWDOC Inspection and Verification Procedures document. Participant Agency may elect to (1) conduct its own post-drip conversion verifications/inspections by utilizing its in-house staff (2) contract with a third party vendor of its choice to conduct the post-drip conversion verifications/inspections; or (3) utilize MWDOC's installation verification/inspection contractor to conduct the post-drip conversion verifications/inspections.

If Participant Agency elects to utilize MWDOC's verification/inspection vendor, Participant Agency may elect to contract directly with MWDOC's inspection vendor. Participant Agency understands and agrees that if Participant Agency utilizes MWDOC's verification/inspection vendor, Participant Agency must still comply with all of the requirements of the Water Conservation Participation Agreement, including the refund requirements in Section 6.6, and that MWDOC is in no way liable or responsible for the acts or omissions of such vendor and makes no representations or warranties regarding the quality of such vendor's work. Participant's sole recourse as to any action, claims or damages arising out of the acts or omissions of MWDOC's verification/inspection vendor is with the vendor and not with MWDOC.

By its initials below, _____ hereby elects to either:
Name of Participant Agency

(1) Conduct its own inspections: _____
Initial Here

(2) Contract with its own third-party inspector: _____
Initial Here

(3) Allow MWDOC to invoice Participant Agency monthly for previous month's inspections: _____
Initial Here

Addendum 3C FY 16-17
Spray to Drip Irrigation Rebate Program
Participant Agency Participation Authorization (Page 2 of 3)

An authorized representative(s) of Participant Agency must approve all post-drip conversion verification/inspection work orders, whether conducted by Participant Agency, a third-party vendor, or MWDOC's inspection contractor. Participant Agency shall designate its authorized representative(s) by completing Table 1 below. All authorized representative(s) identified in Table 1 must have signing authority with Participant Agency to certify that all information contained in the post-drip conversion verification/inspection work orders is true and correct and to approve all rebate funding amounts.

Table 1
Designation by Participant Agency of Authorized Representative(s)

Name	Title

Election to Provide Supplemental Funding. Participant has the option to provide supplemental funding to customers in its service area to further incentivize participation in the Spray to Drip Irrigation Rebate Program. By completing Table 2 below, Participant Agency elects to provide supplemental funding for spray to drip irrigation rebate incentives

Table 2 – Spray to Drip Rebate Supplemental Funding

Program	Participant Agency Funding Amount per Square Foot	Not to Exceed Funding Limit For Fiscal Year 2016-2017	
Residential Spray to Drip	\$	Authorized Funds:	\$
		Add/Subtract Funds:	\$
		Total Authorized Funds:	\$
		Start Date:	_____
		End Date:	_____
CII Spray to Drip	\$	Authorized Funds:	\$
		Add/Subtract Funds:	\$
		Total Authorized Funds:	\$
		Start Date:	_____
		End Date:	_____

Addendum 3C FY 16-17
Spray to Drip Irrigation Rebate Program
Participant Agency Participation Authorization (Page 3 of 3)

By signing below, Participant Agency understands that it is obligated to pay any supplemental rebate funding amounts and vendor inspection fees, if selected, for any applications initiated during the term of this Addendum 3C, regardless of when the project is completed and the rebate check is issued.

This funding authorization is effective for applications received by MWDOC on or after April 15, 2016 and continues through June 30, 2017 or until a replacement Addendum is approved and implemented by MWDOC, whichever comes first. All invoicing shall be pursuant to the terms of the Water Conservation Participation Agreement. Incentives will not be applied retroactively. This funding authorization is effective only for the designated period or until a new authorization is received and approved by MWDOC. Each form submitted shall include the total authorization of the Agency for the specified time period.

Supplemental funding forms received by MWDOC by the 15th of a month shall become effective on the first day of the following month unless a later Start Date is specified.

By signing, Participant Agency agrees to these terms.

Participant Agency _____

Authorizing Signature General Manager /Designee

Date

Date received: _____

Approved by _____

City of Garden Grove

INTER-DEPARTMENT MEMORANDUM

To:	Scott C. Stiles	From:	Kimberly Huy
Dept.:	City Manager's Office	Dept.:	Community Services
Subject:	Award of contract to Southern California Landscape, Inc., to install a decomposed granite fitness trail at Eastgate Park. (Cost: \$146,000) (<i>Action Item</i>)		
		Date:	5/23/2017

OBJECTIVE

To request City Council award a contract to Southern California Landscape Inc., to furnish all material and labor for the installation of a quarter-mile decomposed granite trail at Eastgate Park.

BACKGROUND

In 2014, the City of Garden Grove received a three year grant from Community Action Partners of Orange County for installation of exercise amenities throughout Garden Grove parks. The addition of a quarter-mile fitness trail, at the perimeter of Eastgate Park, is the third year commitment to the grant agreement.

DISCUSSION

On April 7, 2017, a Notice Inviting Bids was released to contractors that would be interested in providing services for the installation of a quarter-mile decomposed granite fitness trail at the perimeter of Eastgate Park. A bidders meeting was held on April 19, 2017, at Eastgate Park, at which time the prospective bidders viewed the actual site and took measurements.

Two qualified proposals were received and opened on May 8, 2017. Southern California Landscape, Inc., submitted the lowest responsible bid at \$146,000. The other bid received was from R.E. Schultz Construction, Inc., for \$197,440. Southern California Landscape, Inc., was identified as the lowest responsible bid, and reference checks have been completed by staff.

FINANCIAL IMPACT

The total cost for the installation of the fitness trail will be \$146,000 with \$105,000 to

be paid by the Community Action Partnership grant, and the remainder \$41,000 from Park Fees. There are sufficient funds available within the existing Fiscal Year 2016/2017 Budget for this project.

RECOMMENDATION

It is recommended that the City Council:

- Award a contract to Southern California Landscape, Inc., for the installation of a quarter-mile fitness trail at Eastgate Park, in the amount not to exceed \$146,000; and
- Authorize the City Manager, or his designee, to sign the contract on behalf of the City, including making minor modifications as appropriate and necessary.

By: John Montanez, Recreation Services Manager

ATTACHMENTS:

Description	Upload Date	Type	File Name
Southern California Landscape Inc, Contract	5/17/2017	Cover Memo	Southern_California_Landscape_Inc_Contract.pdf

SECTION 4 - AGREEMENT

PROJECT AGREEMENT

THIS AGREEMENT is made this ____ day of _____, 2017, by the CITY OF GARDEN GROVE, a municipal corporation, ("CITY"), and **Southern California Landscape, Inc.**, hereinafter referred to as ("CONTRACTOR").

RECITALS:

The following recitals are a substantive part of this Agreement:

This Agreement is entered into pursuant to Garden Grove COUNCIL AUTHORIZATION, DATED _____.

CITY desires to utilize the services of Furnish all Materials, Equipment, Tools, Labor and all related work for the Eastgate Park Fitness Trail per the bid specifications.

CONTRACTOR is qualified by virtue of experience, training, education, and expertise to accomplish services.

AGREEMENT

THE PARTIES MUTUALLY AGREE AS FOLLOWS:

- 4.0 **Compensation.** CONTRACTOR shall be compensated as follows: Compensation under this agreement shall be a Not to exceed (NTE) amount of One Hundred Forty Six Thousand Dollars (\$146,000.00), payable in arrears and in accordance with Bid Pricing Sheet (Attachment B), which is attached and is hereby incorporated by reference. Payment for work under this Agreement shall be made per invoice or request for work completed subject to Section 4.11 hereof. All work shall be in accordance with Bid No. S-1215 and the Plans and Specifications (Attachment A), which are attached and are hereby incorporated by reference.
- 4.1 **General Conditions.** CONTRACTOR certifies and agrees that all the terms, conditions and obligations of the Contract Documents as hereinafter defined, the location of the job site, and the conditions under which the work is to be performed have been thoroughly reviewed, and enters into this Contract based upon CONTRACTOR'S investigation of all such matters and is in no way relying upon any opinions or representations of CITY. It is agreed that this Contract represents the entire agreement. It is further agreed that the Contract Documents including the Notice Inviting Bids, Special Instructions to Bidders, if any, Plans and Specifications, and Contractor's Proposal, are incorporated in this Contract by reference, with the same force and effect as if the same were set forth at length herein, and that CONTRACTOR and its subcontractors, if any, will be and are bound by any and all of said Contract Documents insofar as they

relate in any part or in any way, directly or indirectly, to the work covered by this Contract.

"Project" as used herein defines the entire scope of the work covered by all the Contract Documents. Anything mentioned in the Specifications and not indicated in the Plans, or indicated in the Plans and not mentioned in the Specifications, shall be of like effect as if indicated and mentioned in both. In case of discrepancy in the Plans or Specifications, the matter shall be immediately submitted to City's Engineer, without whose decision CONTRACTOR shall not adjust said discrepancy save only at CONTRACTOR'S own risk and expense. The decision of the Engineer shall be final.

4.2 Materials and Labor. CONTRACTOR shall furnish, under the conditions expressed in the Plans and Specifications, at CONTRACTOR'S own expense, all labor and materials necessary, except such as are mentioned in the Specifications to be furnished by the CITY, to complete the project, in good workmanlike and substantial order. If CONTRACTOR fails to pay for labor or materials when due, CITY may settle such claims by making demand upon the surety to this Agreement. In the event of the failure or refusal of the surety to satisfy said claims, CITY may settle them directly and deduct the amount of payments from the Contract price and any amounts due to CONTRACTOR. In the event CITY receives a stop notice from any laborer or material supplier alleging non-payment by CONTRACTOR, CITY shall be entitled to deduct all of its costs and expenses incurred relating thereto, including but not limited to administrative and legal fees.

4.3 Project. The PROJECT is described as Furnish all Materials, Equipment, Tools, Labor and all related work for the Eastgate Park Fitness Trail per the bid specifications.

4.4 Plans and Specifications. The work to be done is described in a set of detailed Plans and Specifications for: Furnish all Materials, Equipment, Tools, Labor and all related work for the Eastgate Park Fitness Trail per the bid specifications.

Said Plans and Specifications and any revisions, amendments or addenda thereto are attached hereto and incorporated herein as part of this Contract and referred to by reference. The work to be done must also be in accordance with the General Provisions, Standard Specifications and Standard Plans of City which are also incorporated herein and referred to by reference.

4.5 Time of Commencement and Completion. CONTRACTOR agrees to commence the Project with TEN (10) calendar days from the date set forth in the "Notice to Proceed" sent by City and shall diligently prosecute the work to completion within **21 calendar days** of the Notice to Proceed, excluding delays caused or authorized by the CITY as set forth in Sections 4.7, 4.8 and 4.9 hereof.

4.6 Time is of the Essence. Time is of the essence of this Contract. As required by the Contract Documents, CONTRACTOR shall prepare and obtain approval of all shop drawings, details and samples, and do all other things necessary and incidental to the prosecution of CONTRACTOR'S work in conformance with and

approved construction progress schedule. CONTRACTOR shall coordinate the work covered by this Contract with that of all other contractors, subcontractors and of the CITY, in a manner that will facilitate the efficient completion of the entire work in accordance with Section 4.5 herein. CITY shall have complete control of the premises on which the work is to be performed and shall have the right to decide the time or order in which the various portions of the work shall be installed or the priority of the work of other subcontractors, and, in general, all matters representing the timely and orderly conduct of the work of CONTRACTOR on the premises.

4.7 Excusable Delays. CONTRACTOR shall be excused for any delay in the prosecution or completion of the Project caused by acts of God; inclement weather; damages caused by fire or other casualty for which CONTRACTOR is not responsible; and act, neglect or default of CITY; failure of CITY to make timely payments to CONTRACTOR; late delivery of materials required by this CONTRACT to be furnished by CITY; combined action of the workers in no way caused by or resulting from default or collusion on the part of CONTRACTOR; a lockout by CITY; or any other delays unforeseen by CONTRACTOR and beyond CONTRACTOR'S reasonable control.

City shall extend the time fixed in Section 4.5 herein for completion of the Project by the number of days CONTRACTOR has thus been delayed, provided that CONTRACTOR presents a written request to CITY for such time extension within fifteen (15) days of the commencement of such delay and CITY finds that the delay is justified. CITY'S decision will be conclusive on the parties to this Contract. Failure to file such request within the time allowed shall be deemed a waiver of the claim by CONTRACTOR.

No claims by CONTRACTOR for additional compensation or damages for delays will be allowed unless CONTRACTOR satisfies CITY that such delays were unavoidable and not the result of any action or inaction of CONTRACTOR and that CONTRACTOR took all available measures to mitigate such damages. Extensions of time and extra compensation as a result of incurring undisclosed utilities will be determined in accordance with Section 9-103A of the State of California Department of Transportation Standard Specifications. The CITY'S decision will be conclusive on all parties to this Contract.

4.8 Extra Work. The Contract price includes compensation for all work performed by CONTRACTOR, unless CONTRACTOR obtains a written change order signed by a designated representative of CITY specifying the exact nature of the extra work and the amount of extra compensation to be paid all as more particularly set forth in Section 4.9 hereof. CITY shall extend the time fixed in Section 4.5 for completion of the Project by the number of days reasonably required for CONTRACTOR to perform the extra work, as determined by CITY'S Engineer. The decision of the Engineer shall be final.

4.9 Changes in Project.

4.9.1 CITY may at any time, without notice to any surety, by written order designated or indicated to be a change order, make any change in the work

within the general scope of the Contract, including but not limited to changes:

- a. in the Specifications (including drawings and designs);
- b. in the time, method or manner of performance of the work;
- c. in the City-furnished facilities, equipment, materials, services or site; or
- d. directing acceleration in the performance of the work.

4.9.2 A change order shall also be any other written order (including direction, instruction, interpretation or determination) from the CITY which causes any change, provided CONTRACTOR gives the CITY written notice stating the date, circumstances and source of the order and that CONTRACTOR regards the order as a change order.

4.9.3 Except as provided in this Section 4.9, no order, statement or conduct of the CITY or its representatives shall be treated as a change under this Section 9 or entitle CONTRACTOR to an equitable adjustment.

4.9.4 If any change under this Section 4.9 causes an increase or decrease in CONTRACTOR'S actual, direct cost or the time required to perform any part of the work under this Contract, whether or not changed by any order, the CITY shall make an equitable adjustment and modify the Contract in writing. Except for claims based on defective specifications, no claim for any change under paragraph (4.9.2) above shall be allowed for any costs incurred more than 20 days before the CONTRACTOR gives written notice as required in paragraph (4.9.2). In the case of defective specifications for which the CITY is responsible, the equitable adjustment shall include any increased direct cost CONTRACTOR reasonably incurred in attempting to comply with those defective specifications.

4.9.5 If CONTRACTOR intends to assert a claim for an equitable adjustment under this Section 4.9, it must, within thirty (30) days after receipt of a written change order under paragraph (4.9.1) or the furnishing of a written notice under paragraph (4.9.2), submit a written statement to the CITY setting forth the general nature and monetary extent of such claim. The CITY may extend the 30-day period. CONTRACTOR may include the statement of claim in the notice under paragraph (4.9.2) of this Section 4.9.

4.9.6 No claim by CONTRACTOR for an equitable adjustment shall be allowed if made after final payment under this Agreement.

4.9.7 CONTRACTOR hereby agrees to make any and all changes, furnish the materials and perform the work that CITY may require without nullifying this Contract. CONTRACTOR shall adhere strictly to the Plans and Specifications unless a change therefrom is authorized in writing by the CITY. Under no condition shall CONTRACTOR make any changes to the Project, either in additions or deduction, without the written order of the CITY and the CITY shall not pay for any extra charges made by CONTRACTOR that have not been agreed upon in advance in writing.

the CITY. CONTRACTOR shall submit immediately to the CITY written copies of its firm's cost or credit proposal for change in the work. Disputed work shall be performed as ordered in writing by the CITY and the proper cost or credit breakdowns therefor shall be submitted without delay by CONTRACTOR to CITY.

4.10 Liquidated Damages for Delay. The parties agree that if the total work called for under this Contract, in all parts and requirements, is not completed within the time specified in Section 4.5 herein, plus the allowance made for delays or extensions authorized under Section 4.7, 4.8 and 4.9 herein, the CITY will sustain damage which would be extremely difficult and impractical to ascertain. The parties therefore agree that CONTRACTOR will pay to CITY the sum of two hundred and fifty dollars (\$250.00) per day for each and every calendar day during which completion of the Project is so delayed. CONTRACTOR agrees to pay such liquidated damages and further agrees that CITY may offset the amount of liquidated damages from any moneys due or that may become due CONTRACTOR under the Contract.

4.11 Contract Price and Method of Payment. CITY agrees to pay and the CONTRACTOR agrees to accept as full consideration for the faithful performance of this Contract, subject to any subsequent additions or deductions as provided in approved change orders, the sum as itemized in the bid proposal. Progress payments shall be made to the CONTRACTOR per month for each successive month as the work progresses. The CONTRACTOR shall be paid such sum as will bring the total payments received since the commencement of the work up to ninety five percent (95%) of the value of the work completed, less all previous payments, provided that the CONTRACTOR submits the request for payment prior to the end of the day required to meet the payment schedule. The CITY will retain five percent (5%) of the amount of each such progress estimate and material cost until 30 days after the recordation of the Notice of Completion.

Payments shall be made on demands drawn in the manner required by law, accompanied by a certificate signed by the CITY'S Engineer, stating that the work for which payment is demanded has been performed in accordance with the terms of the Contract. Partial payments of the Contract price shall not be considered as an acceptance of any part of the work.

4.12 Substitution of Securities in Lieu of Retention of Funds. Pursuant to California Public Contract Code Section 22300, the CONTRACTOR will be entitled to post approved securities with the CITY or an approved financial institution in order to have the CITY release funds retained by the CITY to ensure performance of the Contract. CONTRACTOR shall be required to execute an addendum to this Contract together with escrow instructions and any other documents in order to effect this substitution.

4.13 Completion. CITY may require affidavits or certificates of payment and/or releases from any subcontractor, laborer or material supplier in connection with Stop Notices, which have been filed under the provisions of the statutes of the State of California.

4.14 Contractor's Employee Compensation.

4.14.1 General Prevailing Rate. CITY has ascertained CONTRACTOR shall comply with all applicable requirements of Division 2, Part 7, Chapter 1 of the California Labor Code and all applicable federal requirements respecting the payment of prevailing wages. If there is a difference between the minimum wage rates predetermined by the Secretary of Labor and the prevailing wage rates determined by the Director of the Department of Industrial Relations (DIR) for similar classifications of labor, the CONTRACTOR and its Subcontractors shall pay not less than the higher wage rate. The DIR will not accept lower State wage rates not specifically included in the Federal minimum wage determinations. This includes "helper" (or other classifications based on hours of experience) or any other classification not appearing in the Federal Wage determinations. Where Federal wage determinations do not contain the State wage rate determination otherwise available for use by the CONTRACTOR and Subcontractors, the CONTRACTOR and its Subcontractors shall pay not less than the Federal Minimum wage rate which most closely approximates the duties of the employees in question.

4.14.2 Forfeiture for Violation. CONTRACTOR shall, as a penalty to the CITY, forfeit one hundred dollars (\$100.00) for each calendar day or portion thereof for each worker paid (either by the CONTRACTOR or any subcontractor under it) less than the prevailing rate of per diem wages as set by the Director of Industrial Relations, in accordance with Sections 1770-1780 of the California Labor Code for the work provided for in this Contract, all in accordance with Section 1775 of the Labor Code of the State of California.

4.14.3 Apprentices. Section 1777.5, 1777.6 and 1777.7 of the Labor Code of the State of California, regarding the employment of apprentices is applicable to this Contract and the CONTRACTOR shall comply therewith; provided, however, that this requirement shall not apply if and/or to the extent that the Contract of the general CONTRACTOR, or the contracts of specialty contractors not bidding for work through a general or prime contractor involves less than thirty thousand dollars (\$30,000.00).

4.14.4 Workday. In the performance of this Contract, not more than eight (8) hours shall constitute a day's work, and CONTRACTOR shall not require more than eight (8) hours of labor in a day from any person employed by him thereunder except as provided in paragraph (4.14.1) above. CONTRACTOR shall conform to Article 3, Chapter 1, Part 7 (Sections 1810 et seq.) of the Labor Code of the State of California and shall forfeit to the CITY as a penalty, the sum of twenty-five dollars (\$25.00) for each worker employed in the execution of this Contract by CONTRACTOR or any subcontractor for each calendar day during which any worker is required or permitted to labor more than eight (8) hours in any one calendar day and forty (40) hours in any one week in violation of said Article. CONTRACTOR shall keep an accurate record showing the name and actual hours worked each calendar day and each calendar week by each worker employed by CONTRACTOR in connection with the Project.

4.14.5 Record of Wages: Inspection. CONTRACTOR agrees to maintain accurate payroll records showing the name, address, social security number, work classification, straight time and overtime hours worked each day and week, and the actual per diem wages paid to each journeyman, apprentice, worker or other employee employed by it in connection with the Project and agrees to require that each of its subcontractors does the same. The applicable CONTRACTOR or subcontractor or its agent having authority over such matters shall certify all payroll records as accurate. CONTRACTOR further agrees that its payroll records and those of its subcontractors shall be available to the employee or employee's representative, the Division of Labor Standards Enforcement, and the Division of Apprenticeship Standards and shall comply with all of the provisions of Labor Code Section 1776, in general. CONTRACTOR shall comply with all of the provisions of Labor Code Section 1776, and shall submit payroll records to the Labor Commissioner pursuant to Labor Code section 1771.4(a)(3).

4.14.6 CONTRACTOR REGISTRATION; MAINTENANCE OF PAYROLL RECORDS; JOB SITE POSTING

4.14.6.1 **Contractor Registration.** CONTRACTOR and its subcontractors must be registered with the California Department of Industrial Relations pursuant to Labor Code Section 1725.5. This Agreement shall not be effective until CONTRACTOR provides proof of registration to the CITY.

4.14.6.2 **Payroll Records.** CONTRACTOR shall maintain accurate payroll records and shall comply with all of the provisions of Labor Code Section 1776, and shall submit payroll records to the Labor Commissioner pursuant to Labor Code section 1771.4(a)(3).

4.14.6.3 **Posting of Job Site Notices.** CONTRACTOR shall comply with the job site notices posting requirements established by the Labor Commissioner pursuant to Title 8, California Code of Regulations Section 16461(e) or other regulation promulgated pursuant to Labor Code Section 1771.4(a)(2).

4.14.6.4 **Notice of DIR Compliance Monitoring and Enforcement.** Pursuant to Labor Code Section 1771.4, this Project is subject to compliance monitoring and enforcement by the California Department of Industrial Relations.

4.15 Surety Bonds. CONTRACTOR shall, upon entering into performance of this Agreement, furnish bonds in the amount of one hundred percent (100%) of the Contract price bid, to guarantee the faithful performance of the work, and the other in the amount of one hundred percent (100%) of the Contract price bid to guarantee payment of all claims for labor and materials furnished. This Contract shall not become effective until such bonds are

supplied to and approve by the CITY. The Surety Company must have an AM Best rating of A- VII or better.

4.16 Insurance.

4.16.1 CONTRACTOR is also aware of the provisions of Section 3700 of the Labor Code which requires every employer to be insured against liability for Workers' Compensation or undertake self-insurance with provisions of that Code and will comply with such provisions before commencing the performance of the work of this Contract.

4.16.2 CONTRACTOR and all subcontractors will carry and provide Workers' Compensation insurance for the protection of its employees during the progress of the work and *provide Employers Liability in an amount not less than \$1,000,000*. The insurer shall waive its rights of subrogation against the CITY, its officers, agents and employees and shall issue a certificate to the policy evidencing same.

4.16.3 For any claims related to this Agreement, CONTRACTOR'S insurance coverage shall be primary insurance as respects CITY, its officers, officials, employees, agents, and volunteers. Any insurance or self-insurance maintained by the CITY, its officers, officials, employees, agents, or volunteers shall by excess of the CONTRACTOR'S insurance and shall not contribute with it.

4.16.4 Before CONTRACTOR performs any work at, or prepares or delivers materials to, the site of construction, CONTRACTOR shall furnish certificates of insurance and endorsements evidencing the foregoing insurance coverage and such certificates of insurance and endorsements shall provide the name and policy number of each carrier and that the insurance is in force and will not be cancelled without 30 days written notice to the CITY. CONTRACTOR shall maintain all of the foregoing insurance in force until the work under this contract is satisfactorily and fully completed to the satisfaction of the CITY. The requirement for carrying the foregoing insurance shall not derogate from the provisions for indemnification of CITY by Contractor under Section 4.17 of this Contract. Notwithstanding nor diminishing the obligations of CONTRACTOR with respect to the foregoing, CONTRACTOR shall subscribe for and maintain in full force and effect during the life of this Contract, the following insurance in amounts not less than the amounts specified and issued by a company having a Best's Guide Rate of A-, Class VII or better (claims made and modified occurrence policies are not acceptable).

4.16.5 COMMENCEMENT OF WORK. CONTRACTOR shall not commence work under this Agreement until all certificates and endorsements have been received and approved by the CITY. All insurance required by this Agreement shall contain a Statement of Obligation on the part of the carrier to notify the CITY of any material change, cancellation, or termination at least thirty (30) days in advance. Contractor shall also provide a waiver of subrogation for each policy.

4.16.6 INSURANCE AMOUNTS. CONTRACTOR and all subcontractors shall maintain the following insurance in the amount and type for the duration of this Agreement:

- (a) Commercial general liability in an amount not less than \$1,000,000 per occurrence, and not excluding XCU; (**claims made and modified occurrence policies are not acceptable**); Insurance companies must be acceptable to CITY and have an AM Best's Guide Rating of A-, Class VII or better, as approved by the CITY.
- (b) Automobile liability in an amount not less than \$1,000,000 combined single limit; (**claims made and modified occurrence policies are not acceptable**); Insurance companies must be acceptable to CITY and have an AM Best's Guide Rating of A-, Class VII or better, as approved by the CITY.

An Additional Insured Endorsement, **ongoing and products-completed operations**, for the policy under section 4.16.6 (a) shall designate CITY, its officers, officials, employees, agents, and volunteers for this contract and all public agencies from whom permits will be obtained and their directors, officers, agents, and employees, as determined by the CITY, as additional insureds for liability arising out of work or operations performed by or on behalf of the CONTRACTOR. CONTRACTOR shall provide to CITY proof of insurance and endorsement forms that conform to city's requirements, as approved by the CITY.

An Additional Insured Endorsement for the policy under section 4.16.6 (b) shall designate CITY, its officers, officials, employees, agents, and volunteers for this contract and all public agencies from whom permits will be obtained and their directors, officers, agents, and employees, as determined by the CITY, as additional insureds for automobiles owned, leased, hired, or borrowed by the CONTRACTOR. CONTRACTOR shall provide to CITY proof of insurance and endorsement forms that conform to CITY's requirements, as approved by the CITY.

For any claims related to this Agreement, CONTRACTOR's insurance coverage shall be primary insurance as respects CITY, its officers, officials, employees, agents, and volunteers for this contract and all public agencies from whom permits will be obtained and their directors, officers, agents, and employees. Any insurance or self-insurance maintained by the CITY, its officers, officials, employees, agents, or volunteers, for this contract and all public agencies from whom permits will be obtained and their directors, officers, agents, and employees, as determined by the CITY shall be excess of the CONTRACTOR's insurance and shall not contribute with it.

If CONTRACTOR maintains higher insurance limits than the minimums shown above, CONTRACTOR shall provide coverage for the higher insurance limits otherwise maintained by the CONTRACTOR.

4.17 Risk and Indemnification. All work covered by this Contract done at the site of the Project or in preparing or delivering materials to the site shall be at the risk of CONTRACTOR alone. CONTRACTOR agrees to save, indemnify and keep CITY, its Officers, Agents, Employees, Engineers, and Consultants for this Contract, and all public agencies from whom permits will be obtained and their directors, Officers, Agents and Employees harmless against any and all liability, claims, judgments, costs and demands, including demands arising from injuries or death of persons (CONTRACTOR'S employees included) and damage to property, arising directly or indirectly out of the obligations herein undertaken or out of the operations conducted by CONTRACTOR, save and except claims or litigation arising through the *active negligence* or sole willful misconduct of CITY and will make good to reimburse CITY for any expenditures, including reasonable attorneys' fees CITY may incur by reason of such matters, and if requested by CITY, will defend any such suits at the sole cost and expense of CONTRACTOR.

4.18 Termination.

- 4.18.1** This Contract may be terminated in whole or in part in writing by the CITY for its convenience, provided that the CONTRACTOR is given (1) not less than ten (10) calendar days written notice (delivered by certified mail, return receipt requested) of intent to terminate, and (2) an opportunity for consultation with the terminating party prior to termination. Termination of contract shall conform to Section 8-1.11 of the State of California, Department of Transportation Standard Specifications.
- 4.18.2** If termination for default or convenience is effected by the CITY, an equitable adjustment in the price provided for in this Contract shall be made, but (1) no amount shall be allowed for anticipated profit on unperformed services or other work, and (2) any payment due to the CONTRACTOR at the time of termination may be adjusted to cover any additional costs to the CITY because of the CONTRACTOR'S default. The equitable adjustment for any termination shall provide for payment to the CONTRACTOR for services rendered and expenses incurred in accordance with section 8-1.11 of the State of California, Department of Transportation Standard Specifications.
- 4.18.3** Upon receipt of a termination action under paragraph (4.18.1) or (4.18.2) above, the CONTRACTOR shall (1) promptly discontinue all affected work (unless the notice directs otherwise), and (2) deliver or otherwise make available to the CITY all data, drawings, specifications, reports, estimates, summaries and such other information and materials as may have been accumulated by the CONTRACTOR in performing this Contract whether completed or in process.
- 4.18.4** Upon termination under paragraphs (4.18.1) and (4.18.2) above, the CITY may take over the work and may award another party an agreement to complete the work under this Contract.

- 4.19 Warranty.** The CONTRACTOR agrees to perform all work under this Contract in accordance with the CITY'S designs, drawings and specifications.

The CONTRACTOR guarantees for a period of one (1) year from the date of the notice of completion of the work that the completed work is free from all defects due to faulty materials, equipment or workmanship and that he shall promptly make whatever adjustments or corrections which may be necessary to cure any defects, including repairs or any damage to other parts of the system resulting from such defects. The CITY shall promptly give notice to the CONTRACTOR of observed defects. In the event that the CONTRACTOR fails to make adjustments, repairs, corrections or other work made necessary by such defects, the CITY may do so and charge the CONTRACTOR the cost incurred. The performance bond shall remain in full force and effect through the guarantee period.

The CONTRACTOR'S obligations under this clause are in addition to the CONTRACTOR'S other express or implied assurances provided under this Contract and in no way diminish any other rights that the CITY may have against the CONTRACTOR for faulty materials, equipment or work.

- 4.20 Attorneys' Fees.** If any action at law or in equity is necessary to enforce or interpret the terms of this Contract, *each party shall be responsible for their own attorneys' fees, costs and necessary expenses.* If any action is brought against the CONTRACTOR or any subcontractor to enforce a Stop Notice or Notice to Withhold, which named the CITY as a party to said action, the CITY shall be entitled to all attorneys' fees, costs and necessary disbursements arising out of the defense or such action by the CITY. The CITY shall be entitled to deduct its costs for any Stop Notice filed, whether court action is involved or not.

- 4.21 Appropriations.** This Agreement is subject to and contingent upon funds being appropriated therefor by the Garden Grove City Council for each fiscal year covered by the term of this Agreement. If such appropriations are not made, this Agreement shall automatically terminate without penalty to the CITY.

- 4.22 Notices.** Any notice required or permitted under this Contract may be given by ordinary mail at the address set forth below. Any party whose address changes shall notify the other party in writing.

To CITY: City of Garden Grove
City Attorney
11222 Acacia Parkway
Garden Grove, California 92840

To CONTRACTOR: Southern California Landscape, Inc.
Attention: Ronald Lyon
8636 Banana Avenue
Fontana, CA 92335

\\\\\\

IN WITNESS THEREOF, these parties have executed this Project Agreement on the day and year shown below.

Date: _____

"CITY"
CITY OF GARDEN GROVE

By: _____
City Manager

ATTEST:

City Clerk

Date: _____

"CONTRACTOR"
Southern California Landscape, Inc.

Contractor's State Lic. No. 753861

DIR Registration Number 1000001528

Expiration Date: 9/30/18

By: _____

Title: Secretary

Date: 5/11/17

Tax ID No. 33-0800061

If CONTRACTOR is a corporation, a Corporate Resolution and/or Corporate Seal is required. If a partnership, Statement of Partnership must be submitted to the CITY.

APPROVED AS TO FORM:


Garden Grove City Attorney

**IFB S-1215
ATTACHMENT "A"**

**Furnish all Materials, Equipment, Tools, Labor and all related work for
the Eastgate Park Fitness Trail**

**PLANS AND SPECIFICATIONS
FOR
EASTGATE PARK FITNESS TRAIL**

TABLE OF CONTENTS

STANDARD SPECIFICATIONS

PART 2 CONSTRUCTION MATERIALS

Section 201 CONCRETE, MORTAR, AND RELATED MATERIALS

Section 212 LANDSCAPE AND IRRIGATION MATERIALS

PART 3 CONSTRUCTION METHODS

Section 300 EARTHWORK

Section 303 CONCRETE AND MASONRY CONSTRUCTION

Section 308 LANDSCAPE AND IRRIGATION INSTALLATION

STANDARD SPECIFICATIONS

The Standard Specifications for Public Works Construction, "Greenbook", 2012 edition, is referenced as if herein contained and the Contractor shall keep a copy at the project site. These Specifications shall supersede conflicts with information given in the "Greenbook", unless otherwise determined by the Engineer.

PART 2 CONSTRUCTION MATERIALS

SECTION 201 - CONCRETE, MORTAR, AND RELATED MATERIALS

201-1 PORTLAND CEMENT CONCRETE.

201-1.1.2 Concrete Specified by Class. *ADD the following:*

Portland Cement concrete for construction shall be Class 560-C-3250.

SECTION 212 – LANDSCAPE AND IRRIGATION MATERIALS

The General Conditions and Special Provisions shall apply to all landscape and irrigation work operations. Provide labor, materials, tools, transportation, equipment and incidentals necessary to perform work as indicated on the Plans and as herein specified.

212-1 LANDSCAPE MATERIALS.

212-1.1.0 General. *ADD the following:*

Comply with all applicable local, state, federal requirements regarding materials, methods of work, and disposal of excess and waste materials. Manufacturer's directions, specifications and detailed drawings will be followed in all cases where articles used furnish directions covering points not delineated on the Plans or Specifications. The work included in this section will be done to the satisfaction of the City and the decision by the City as to the true construction meaning of the Plans and Specifications will be final. All drop slips for landscape materials (including sod, fertilizers, pesticides, stabilized decomposed granite, etc.) shall be given to the Engineer.

212-1.2.1 General. *ADD the following:*

All soil for agronomic soil testing samples shall be taken in the field by a qualified soil technician from a testing agency registered by the State for agricultural evaluation. Take two (2) samples of site soil at two (2) separate locations, within proposed turf re-establishment area, after completion of grading and prior to soil preparation. Sample areas shall be selected by the Engineer. Request two (2) tests for fertility and suitability analysis with written recommendations for soil amendment, fertilizer and chemical

conditioners, application rates for soil preparation, post-maintenance fertilization programs. Soils report recommendations shall take precedence over the amendment and fertilizer application rates specified in this Section. Testing laboratory shall be Soil and Plant Laboratory, Inc., 1594 N. Main, Orange, CA 92667 (714) 282-8777, Wallace Laboratories, 365 Coral Circle, El Segundo, Ca 90245, Phone (310) 615-0116. Tests shall be paid for by the Contractor. Submit testing laboratory's interpretation, recommendations, and comments to Engineer within 7 days after the completion of turf grass removal. For bidding purposes, the Contractor shall provide the following soil amendments for soil preparation.

- Soil preparation per 1,000 s.f. of planting area:
 - 4 cubic yards Nitrolized Redwood Sawdust
 - 200 lbs. Gro Power
 - 20 lbs. Soil Sulphur

A credit shall be given to the City for amendments that were bid but not installed.

212-1.4.5 Sod. *DELETE entire subsection and SUBSTITUTE with the following:*

Sod shall be GN-1 Hybrid Bermuda or approved equivalent grown by an established sod nursery having been in the business of growing sod a minimum of five (5) years. Sod shall be free of turf disease, insects, or weeds, and capable of healthy, vigorous growth. Sod shall be grown in a blown sand medium. It shall be cut with a 1/2" to 3/4" thickness of soil that completely covers the root zone. Sod shall be wide cut. The sod shall arrive vigorous and have a lush appearance, uniform texture and dark green color throughout with no dead or dying edge. The sod shall be sufficiently dense to bear handling and placement without tearing. Nylon mesh in sod will not be accepted.

Sod may be obtained from:

Pacific Sod
West Hueneme Road
Camarillo, CA 93012
Phone: (800) 942-5296

Fertilizing and soil conditioning materials shall comply with the applicable requirements of the City's Standards and Specifications. All materials shall be packaged first grade, commercial quality products identified as to source, type of material, weight, and manufacturer's guaranteed analysis. Fertilizing and soil conditioning material shall not contain toxic ingredients or fillers in quantities harmful to human life, animals, or plants. The Contractor shall furnish to the Engineer the Certificate of Compliance stating that the material substantially meets the City's specifications. Exact fertilizing and conditioning materials and the required composition and quantities shall be determined by the agronomic soils test.

Commercial fertilizer shall be a palletized or granular product having a chemical analysis as specified on the Plans or in the Specifications. Commercial fertilizer shall be free-

flowing material delivered in unopened sacks. Material which becomes caked or otherwise damaged shall not be used. Pre-planting fertilizer composition to be 6-20-20. Post-planting composition shall be 6-20-20XB. Fertilizer shall provide one pound of P and K per 1,000 square feet. Nitrogen shall not exceed 1/3 pound per 1,000 square feet. Exact composition and type to be determined by agronomic soil test.

Fertilizer available from:

J.R. Simplot

Lathrop, CA 95330

Phone: (209) 858-2511, Fax: (209) 858-2519

212-1.6 Miscellaneous Landscape Materials. *ADD the following subsection:*

212-1.6.1 General.

Whenever a material or process is delineated or specified by patent, proprietary name or process, or manufacturer's name, such specifications are used for the purpose of facilitating the description of material or process desired. Approved equals are acceptable as approved by the engineer. Suppliers and manufacturer's directions, specifications and recommendations will be followed in all cases where the materials used furnish directions and cover points not delineated on the Plans or in the Specifications. The specifications only indicate the quality and workmanship to be performed rather than a detailed description of the performance of the work. In the event of any discrepancies between the Plans or Specifications, the final decision as to which will be followed shall be made by the Engineer. In the event the installation is contradictory to the direction of the Engineer, the installation shall be rectified by the Contractor at no additional cost to the City.

All workmanship and materials incorporated shall be the best available grade of their respective kind. Provide a sample of each material specified. Accepted samples may be used in the Work. Submit three (3) sets of a type written list of materials as specified to the Engineer within twenty-one (21) days after award of contract. This list shall give the name, material number, and the manufacturer, and shall be accompanied by cut sheets or reproductions of catalog pages for all of the material to be installed. Approval of substitutions will not relieve the Contractor from complying with the requirements of the Contract Documents, Plans and Specifications. Pay at Contractor's sole expense for all changes caused by approved substitution which affect other items of work.

212-1.6.2 Stabilized Decomposed Granite.

Where identified on plans, stabilized decomposed granite is to be installed as paving for the fitness trail. Decomposed granite shall be as identified on plans or approved equal. Contractor to submit one cubic foot sample for approval prior to installation.

GRADATION: As determined by ASTM C 136 methodology (Caltrans 202)

Sieve Size	Percent Passing
1/2"	100
3/8"	90-100
No.4	50-100
No. 30	25-55
No. 100	10-20
No. 200	1-18

SAND EQUIVALENT: As determined by ASTM D 2419 methodology (Caltrans 217)
Shall have a minimum of 30

Stabilizing organic non-toxic binder, buff in color and without a marked odor. The swell volume shall have a minimum of 35 ml/g with a minimum mucilliod content of 80 percent. The light extraneous matter shall not exceed a maximum of 20 percent with the heavy extraneous matter not exceeding 5 percent. The material shall be screened with 90-100 percent passing a 200 mesh sieve. Decomposed granite to be derived from the crushing and screening of naturally friable granite. The blending of course sand with rock dust is not an equal product. The granite is screened to include stone particles of 1/2" minus. The particles that pass the 200 screen mesh as determined by ASTM methodology shall not exceed 18 percent. The sand equivalent shall be a minimum of 30 and the R-value shall be a minimum of 70. Stabilizing organic binder shall have a minimum swell volume of 32 ml/gm. The binder shall be incorporated with the granite fines by the use of a pug mill that includes a weight belt feeder that insures the proper ratio of binder to granite fines. Blending with the use of a bucket loader or similar is not acceptable. The binder shall be blended at the rate of 12 lbs. per ton of granite fines. Stabilized decomposed granite shall be placed to a minimum depth of 3" compacted.

212-1.6.3 Aggregate Base Course.

All work of this Section shall be performed by the trained personnel familiar with the constraints of the work – a licensed and registered contractor or sub-contractor and shall conform to Green Book or Standard Specifications for Public Works Construction, "crushed aggregate base." Latest Edition.

Fill directly under decomposed granite fines shall be coarse aggregate base having gradation as determined by ASTM C-136 within the following limits:

<u>Sieve Size</u> <u>(Square Openings)</u>	<u>Percent Passing</u> <u>By Dry Weight</u>
1 1/2"	100
3/4	90-100
3/8	50-80
No. 4	35-55
No. 30	10-30
No. 200	2-9
ASTM test grading	B

The material shall have a maximum plasticity index of 5 when tested in accordance with ASTM D-424. The coarse aggregate shall have a percent of wear when subjected to the Los Angeles abrasion test (ASTM C-131) of no less than 40. Contractor to submit one cubic foot sample for approval prior to installation.

212-2 IRRIGATION SYSTEM MATERIALS.

212-2.0 General. *ADD the following subsection:*

All materials supplied for this project shall be new and free from any defects. All defective materials shall be replaced immediately at no additional cost to City.

After award of contract and before any irrigation system materials are delivered to the job site, submit to the Engineer a complete list of all irrigation systems, materials, or processes proposed to be furnished and installed as part of this Contract. Show manufacturer's name and catalog number for each item, furnish complete catalog cuts and technical data, furnish the manufacturer's recommendations as to the method of installation. No substitutions will be allowed without prior written acceptance by the Engineer. Manufacturer's warranties shall not relieve the Contractor of liability under the guarantee. Such warranties shall only supplement the guarantee. If the Contractor wishes to substitute any equipment or materials for equipment or materials listed on the irrigation drawings, it may do so by providing the following information to the Engineer for approval:

- Provide a written statement indicating the reason for making the substitution.
- Provide catalog cut sheets, technical data, and performance information for each substitute item.
- Provide in writing the difference in installed price if the item is accepted.

212-2.0.1 Description.

The contractor shall furnish all materials as specified in the plans and specifications and turn over a fully functional irrigation system complete with programming as coordinated by the City.

Additionally, the contractor shall be responsible for repairing any landscape damaged or removed for the purpose of installation of the irrigation.

212-2.1.3 Plastic Pipe for Use with Solvent Weld Socket or Threaded Fittings.

DELETE 2nd Paragraph and REPLACE with the following:

All pressure supply lines downstream of the backflow preventer shall be Schedule 40 solvent weld PVC. Piping shall conform to ASTM 1785. All non-pressure lines downstream of the remote control valve shall be Schedule 40 solvent weld PVC conforming to ASTM D1785. Pipe shall be marked continuously with manufacturer's name, nominal pipe size, schedule or class, PVC type and grade, National Sanitation Foundation approval, Commercial Standards designation, and date of extrusion. All plastic pipe shall be extruded of an improved PVC virgin pipe compound in accordance with ASTM D2241 or ASTM D1785.

All solvent weld PVC fittings shall be standard weight Schedule 40 and shall be injection molded of an improved virgin PVC fitting compound. Slip PVC fittings shall be the "deep socket" bracketed type. Threaded plastic fittings shall be injection molded. All tees and ells shall be side gated.

All fittings shall conform to ASTM D2466. All threaded nipples shall be standard weight Schedule 80 with molded threads and shall conform to ASTM D1785.

All solvent cementing of plastic pipe and fittings shall be a two-step process, using primer and solvent cement applied per the manufacturer's recommendations. Cement shall be of a fluid consistency, not gel-like or ropy. Solvent cementing shall be in conformance with ASTM D2564 and ASTM D2855. When connection is plastic to metal, female adapters shall be hand tightened, plus one turn with a strap wrench. Joint compound shall be non-lead base Teflon paste, tape, or approved equal.

212-2.4 Sprinkler Equipment. *DELETE entire subsection and SUBSTITUTE with the following:*

Irrigation heads and nozzles shall be of like kind to the manufacturer, size, type, with radius of throw, operating pressure, and discharge rate indicated on the irrigation plan or as those found existing at the site.

**PART 3
CONSTRUCTION METHODS**

SECTION 300 - EARTHWORK

300-1 CLEARING AND GRUBBING.

300-1.1 General. *ADD the following:*

Demolition and removal of existing turf grass as indicated on the plans. Scrape off finished grade and dispose of off-site. Execute temporary erosion and sedimentation control measures. All items noted for removal shall become the property of the Contractor unless otherwise noted.

300-1.1.0 Regulatory Requirements.

- Perform all work of this Section in strict accordance with applicable Government Codes and Regulations especially meeting all safety standards and requirements of CAL/OSHA, County of Orange and the City of Garden Grove. Provide additional measures, added materials and devices as may be needed as directed by the City Representative at no added cost to the City.
- Conform to applicable codes for site clearing, demolition, safety of adjacent structures and improvements, dust control, run off control and disposal.
- Obtain required permits from authorities. The Contractor shall apply for and obtain all construction permits from outside agencies as needed to complete the site improvements. All fees required for permits required by the agencies shall be paid by the Contractor.
- Roadway or sidewalk obstructions or closures will not be allowed without permits. .
- Protection of Existing Improvements: Provide protection necessary to prevent damage to existing improvements indicated to remain in place by approved methods and/or as authorized by the Engineer, and conform to Section 300-1.2 of the Standard Specifications for Public Works Construction. Protect existing utilities indicated or made known to remain traversing the job site and serving existing adjacent facilities. Improvements requiring protection include, but are not limited to, adjacent concrete curb and gutter, concrete sidewalk, utility panel, utility pole, irrigation system, and plant material.

300-1.1.1 Submittals.

Submit to the Engineer, demolition and removal sequence and location and construction of barricades and fences prior to the commencement of such activities.

300-1.1.2 Dust Control.

The Contractor at its expense shall take whatever steps, procedures, or means as are required to prevent abnormal dust conditions being caused by its operations in connection

with the execution of the Work; and on any unpaved road which the Contractor or any of its subcontractors are using, excavation or fill areas, demolition operations, or other activities. Control shall be by sprinkling, use of dust palliative, modification of operations, or any other means acceptable to agencies having jurisdiction.

Unless otherwise approved by the City Representative, the Contractor shall furnish and operate a self-loading motor sweeper with spray nozzle at least twice each working day to keep paved areas acceptably clean whenever construction, including restoration, is incomplete.

Prior to occupation of the project site, the contractor shall submit and receive approval of a fugitive dust control plan prepared in accordance with the City Code. In accordance with said Ordinance, the Contractor shall provide the City security in an amount sufficient to guarantee compliance with the provisions of the permit. A copy of the ordinance is available for review at the City.

300-1.1.3 Temporary Erosion and Sedimentation Control.

- Provide temporary erosion and sedimentation control measures to prevent soil erosion and discharge of soil-bearing water runoff or airborne dust to adjacent properties and walkways, according to requirements of authorities having jurisdiction. Inspect, repair, and maintain erosion and sedimentation control measures during construction until permanent vegetation has been established.
- Remove erosion and sedimentation controls and restore and stabilize areas disturbed during removal.

300-1.1.4 Preparation.

- Provide, erect and maintain temporary barricades and security devices such as flashers, barrier tape, fencing and signs as necessary for safety. Temporary 6' ht. fencing shall be installed where necessary around the perimeter of the project site as directed by the City Representative.
- Protect existing structures, lighting, appurtenances, fencing, walls, sidewalks, curbing, and improvements which are not to be removed.
- Mark location of utilities. Maintain existing utility service.

300-1.1.5 Excavation Requirements.

- Disconnect, remove and cap utilities within excavation areas.
- Remove waste materials and unsuitable or excess topsoil from the park property and dispose of off-site in a legal manner. Any removal shall conform to Section 300-1.3.2, subsections (a), (b) and (c) of the Standard Specifications for Public Works Construction.

300-1.3 Removal and Disposal of Materials.

300-1.3.1 General. *ADD the following:*

Remove existing turf grass and soil as indicated on the plans and in these specifications. Demolition and removal of existing non-pressure lateral lines and rotors where new rotor layout is indicated on plans.

SECTION 303 – CONCRETE AND MASONRY CONSTRUCTION

303-1.3 Forms. *ADD the following to the 3rd paragraph:*

Where studs in formwork are spaced not over 16" o.c., 3/4" minimum plywood shall be used. Place long dimension of plywood sheets perpendicular to direction of studs. Forms and metal reinforcement shall be checked and approved by the Engineer before concrete is placed.

303-1.4.1 General. *DELETE entire subsection and SUBSTITUTE with the following:*

Do not disturb or remove forms until the concrete has developed sufficient strength to safely sustain its own weight and the superimposed loads above. After concrete is placed, the following minimum time periods shall elapse before the removal of forms.

ITEM	FORMS	SHORING
Edge of slabs and footings	3 days	5 days

SECTION 308 - LANDSCAPE AND IRRIGATION INSTALLATION

308-2 EARTHWORK AND TOPSOIL PLACEMENT.

308-2.4 Finish Grading. *DELETE 2nd paragraph and ADD the following after the last paragraph:*

Finish grades are existing having been previously established the contractor shall maintain the existing finished grade elevations. Finish grading will only be required in raking out/feathering spoils from trail installation.

308-4 PLANTING.

308-4.8.3 Sod. *DELETE entire subsection and SUBSTITUTE with the following:*

Fertilize two to three days prior to sodding, fertilize with J.R. Simplot Best 6-20-20 at one pound of P and K per 1,000 square feet. Exact quantity shall be determined by the agronomic soil test. Adequately irrigate after application. Fifteen days after sod installation is complete, fertilize as above with J. R. Simplot Best 16-20-20XB. Installing Sod:

- Soil conditioning and fine grading shall be completed before sodding. No heavy equipment shall operate over the subgrade after grading is completed.
- The subgrade shall be moist but not wet when sod is laid. Sod shall be laid with closely fitted joints, and the ends of the trips shall be staggered. Openings shall be plugged with sod.
- Within two hours after installing sod and before rolling, the sod shall be adequately irrigated with a minimum of 1/2" of water. All seams and joints shall then be rolled until the sod is well bonded to the subgrade.
- The area shall then be watered thoroughly with 2 to 4 inches of water to penetrate the subsoil at least 8 inches. Watering shall be repeated as necessary to keep the sod moist until rooted into the subgrade. Sodded areas shall be protected against foot traffic until the sod is well established.

308-4.9 Miscellaneous. *ADD the following subsection:*

308-4.9.1 Stabilized Decomposed Granite Trail.

Install decomposed granite trail with aggregate base course in accordance with the details shown on the Plans.

Spread and evenly distribute the Stabilized Decomposed Granite in two approximate equal lifts. Thoroughly water each lift of Stabilized Decomposed Granite so that the entire depth of material is moistened. Approximate 20 gallons per ton of Stabilized Decomposed Granite. Flood the area of placement before spreading any Stabilized Decomposed Granite. Periodically check multiple areas to ensure that moisture is reaching full penetration. Do not spread an entire placement of 1 1/2 inches or greater and then try to water from the top down. When installing the final lift allow for 15 – 20 percent shrinkage during compaction. Once the material is graded and watered correctly allow the material to sit undisturbed for approximately 4-6 hours or until free water drains or the material does not stick to the roller. Compact with an asphalt roller that weights a minimum of 1 ton. A larger roller of 3-5 tons is preferred. In areas that a roller cannot be used then a vibratory plate can be used. Allow 3-5 days for curing prior to use. This is weather depended and it may take weeks before the entire depth of Stabilized Decomposed Granite is cured. Once cured, providing that the installation was as indicated then the Stabilized Decomposed Granite will meet compaction of 95%.

308-5 IRRIGATION SYSTEM INSTALLATION.

308-5.1 General. *ADD the following after the last paragraph:*

Prior to all work of this Section, carefully inspect the installed work of all other trades and verify that all such work is complete to the point where this installation may properly commence. Verify that irrigation system may be installed in strict conformance with all

pertinent codes and regulations, the original design, the referenced standards, and the manufacturer's recommendations. In the event of discrepancy, immediately notify the Engineer.

Do not proceed with installation in areas of discrepancy until all discrepancies have been resolved. Before starting work, carefully check all grades to determine that work may safely proceed, keeping within the specified material depths with respect to finish grade.

The Engineer will approve final grades before work on this Section will be allowed to begin. Make all necessary measurements in the field to ensure precise fit of items in accordance with the original design. Coordinate the installation of all irrigation materials with all other work.

All scaled dimensions are approximate. Check and verify all size dimensions prior to proceeding with work under this Section. Exercise extreme care in excavating and working near existing utilities. Repair damages to utilities, which are caused by Contractor's operations or neglect, at no additional cost to City. Prior to installation, stake out all pressure supply lines, routing and location of sprinkler heads. Layout irrigation system and make minor adjustments required due to differences between site and Drawings. Where piping is shown on Drawings under paved areas, but running parallel and adjacent to planted areas, install the piping in the planted areas. Connections to, or the installation of, the water supply shall be at the locations shown on the Drawings. Minor changes caused by actual site conditions shall be made at no additional expense to the City.

Verify and be familiar with the locations, size and detail of points of connection provided as the source of water and connection to the irrigation system. Irrigation design is based on the available static water pressure shown on the Drawings. Verify static water pressure on the project prior to the start of construction. Should a discrepancy exist, notify the Engineer's authorized representative prior to beginning construction. Prior to cutting into the soil, locate all cables, conduits, sewer septic tanks, and other utilities as are commonly encountered underground and take proper precautions not to damage or disturb such improvements. If a conflict exists between the obstacles and the proposed work, promptly notify the Engineer who will arrange for relocations. Proceed in the same manner if a rock layer or any other such conditions are encountered. Protect all existing utilities and features to remain on and adjacent to the project site during construction. Repair, at its sole cost, all damage resulting from its operations or negligence.

The Agency Representative shall have, at all times, safe access to the Work. Where the Specifications require work to be tested by the Contractor, it shall not be covered over until accepted by the Engineer. Notify the Engineer, a minimum of 48 hours in advance of where and when the work is ready for testing. Should any work be covered without testing or acceptance, it shall be, if so ordered, uncovered at the Contractor's sole expense. Inspections will be required for the following at a minimum:

- System layout

- Pressure test irrigation main line (Six hours at 125 PSI) lateral lines (2 hours at 100 psi).
- Coverage test of irrigation system
- Final acceptance

Work that fails testing and is not accepted will be re-tested. Hourly rates and expenses of the Engineer for re-inspection or re-testing will be paid by the Contractor at no additional expense to City.

Use all means necessary to protect irrigation system materials before, during, and after installation and to protect the installation work and materials of all other trades. In the event of damage, immediately make all repairs and replacements necessary to the acceptance of the Engineer and at no additional cost to the City. Exercise care in handling, loading, unloading, and storing plastic pipe and fittings under cover until ready to install. Transport plastic pipe only on a vehicle with a bed long enough to allow the pipe to lay flat to avoid undue bending and concentrated external load. Dispose of waste, trash, and debris in accordance with applicable laws and ordinances and as prescribed by authorities having jurisdiction. Do not bury waste material and debris on the site. Burning of trash and debris will not be permitted. Remove and dispose of rubbish and debris generated by his work and workmen at frequent intervals or when ordered to do so by the Engineer. At the time of completion the entire site will be cleared of tools, equipment, rubbish and debris which shall be disposed of off-site in a disposal area that is fully and legally licensed.

Record accurately on one set of Drawings all changes in the work constituting departures from the original Drawings. The changes and dimensions shall be recorded in a legible and workmanlike manner to the satisfaction of the City. Prior to final inspection of work, submit record Drawings to the Engineer. Dimensions from/to permanent points of reference such as buildings, sidewalks, curbs, etc. shall be shown. Data on record Drawings shall be recorded on a day to day basis as the project is being installed. All lettering on Drawings shall be minimum 1/8 inch in size. Show locations and depths of the following items:

- Point of connection (including water P.O.C., master control valves, flow sensors, etc.)
- Routing of pressure lines (dimensions shown at a maximum of 100 feet along routing)
- Isolation valves
- Automatic remote control valves
- Routing of control wires
- Irrigation controllers
- Rotors
- Related equipment (as may be directed)

Maintain record Drawings on site at all times. Upon completion of work, transfer all as-built information and dimensions to reproducible mylar prints.

Supply the following items:

- One (1) wrench for disassembly and adjustment of each type of sprinkler head used in the irrigation system.
- Two (2) extra sprinkler heads of each size and type.

The above equipment shall be turned over to the Engineer at the final inspection. At the time of the pre-maintenance period inspection, the Engineer and governing agencies will inspect the work and, if not accepted, prepare a list of items to be completed by the Contractor. At the time of the post-maintenance period or final inspection the work will be re-inspected and final acceptance will be in writing by the Engineer. The City Engineer shall have final authority on all portions of the work.

308-5.2 Irrigation Pipeline Installation.

308-5.2.1 General. *ADD the following after the last paragraph:*

Excavations shall be straight with vertical sides, even grade, and support pipe continuously on bottom of trench. Trenching excavation shall follow layout indicated on Drawings to the depths below finished grade and as noted. Where lines occur under paved area, these dimensions shall be considered below subgrade. Provide minimum cover of 24 inches on pressure supply lines. Provide minimum cover of 24 inches for control wires. Provide minimum cover of 12 inches for non-pressure lines. Backfill material on all lines shall be the same as adjacent soil free of debris, litter, and rocks over 1/2 inch in diameter. Backfill shall be tamped in 4-inch layers under the pipe and uniformly on both sides for the full width of the trench and the full length of the pipe. Backfill materials shall be sufficiently damp to permit thorough compaction, free of voids. Backfill shall be compacted to 90% relative compaction and shall conform to adjacent grades. Flooding in lieu of tamping is not allowed. Under no circumstances shall truck wheels be used to compact backfill. Provide sand backfill a minimum of 6 inches over and under all piping under paved areas.

Piping under existing pavement may be installed by jacking, boring, or hydraulic driving. No hydraulic driving is permitted under asphalt pavement. Cutting or breaking of existing pavement is not permitted. Carefully inspect all pipe and fittings before installation, removing dirt, scale, burrs, and reaming. Install pipe with all markings up for visual inspection and verification.

Remove all dented and damaged pipe sections. All lines shall have a minimum clearance of 6 inches from each other and 12 inches from lines of other trades. Parallel lines shall not be installed directly over each other. In solvent welding, use only the specified primer and solvent cement and make all joints in strict conformance with the manufacturer's recommended methods including wiping all excess solvent from each weld. Allow solvent welds at least 15 minutes setup time before moving or handling and 24 hours curing time before filling. PVC pipe shall be installed in a manner, which will provide for expansion and contraction as recommended by the pipe manufacturer. Center load all plastic pipe

prior to pressure testing. All threaded plastic-to-plastic connections shall be assembled using Teflon tape or Teflon paste. For plastic-to-metal connections, work the metal connections first. Use a non-hardening pipe dope on all threaded plastic-to-metal connections, except where noted otherwise. All plastic-to-metal connections shall be made with plastic female adapters.

308-5.4.1 General. *ADD the following after the last paragraph:*

Irrigation heads shall be installed as indicated on the Drawings. Riser nipples shall be of the same size as the riser opening in the sprinkler body. Install all assemblies specified herein according to the respective detail Drawings or Specifications, using best standard practices.

308-5.6.3 Sprinkler Coverage Test. *ADD the following after the last paragraph:*

Coverage testing shall be performed for overhead irrigation.

Adjust valves, align heads, and check the coverage of each system prior to coverage test. If it is determined by the Engineer that additional adjustments or nozzle changes will be required to provide proper coverage, make all necessary changes or adjustments prior to any planting. The entire system shall be operating properly before any planting operations commence.

Do not allow or cause any of the work of this Section to be covered up or enclosed until it has been observed, tested and accepted by the Engineer. Notify the Engineer a minimum of 48 hours in advance where and when the work is ready for testing. When the sprinkler system is completed, perform a coverage test of each system in its entirety to determine if the water coverage for the planted areas is complete and adequate in the presence of the Engineer.

308-5.6.4 Operational Test. *ADD the following after the last paragraph:*

Furnish all materials and perform all work required to correct any inadequacies of coverage due to deviations from the Plans, or where the system has been willfully installed as indicated on the Drawings when it is obviously inadequate, without bringing this to the attention of the Engineer. This test shall be accepted by the Engineer and accomplished before starting any planting. Final inspection will not commence without record Drawings as prepared by the Contractor. During the maintenance period adjust and maintain the irrigation system in a fully operational condition providing complete irrigation coverage to all intended plantings. Clean-up shall be made as each portion of the work progresses. Refuse and excess dirt shall be removed from the site, all walks and paving shall be broomed, and any damage sustained on the work of others shall be repaired to original conditions.

308-7 PAYMENT. *DELETE entire subsection and SUBSTITUTE with the following:*

Payment for **Mobilization** shall be made at the contract lump sum price and shall be considered full compensation for furnishing labor, materials, tools, equipment, and incidentals, and for doing all work involved in furnishing and installing, complete in place, as shown on the plans, as specified in the Standard Specifications and these Special Provisions, and as directed by the Engineer, and no additional compensation will be allowed therefor.

Payment for **Clearing and Grubbing** shall be made at the contract lump sum price and shall be considered full compensation for furnishing labor, materials, tools, equipment, and incidentals, and for doing all work involved in furnishing and installing, complete in place, as shown on the plans, as specified in the Standard Specifications and these Special Provisions, and as directed by the Engineer, and no additional compensation will be allowed therefor.

Payment for **Grading and Soils Removal** shall be made at the contract lump sum price and shall be considered full compensation for furnishing labor, materials, tools, equipment, and incidentals, and for doing all work involved in furnishing and installing, complete in place, as shown on the plans, as specified in the Standard Specifications and these Special Provisions, and as directed by the Engineer, and no additional compensation will be allowed therefor.

Payment for **Dust Control** shall be made at the contract lump sum price and shall be considered full compensation for furnishing labor, materials, tools, equipment, and incidentals, and for doing all work involved in furnishing and installing, complete in place, as shown on the plans, as specified in the Standard Specifications and these Special Provisions, and as directed by the Engineer, and no additional compensation will be allowed therefor.

Payment for **Stabilized Decomposed Granite Trail - 3" depth** shall be made at the contract unit price per square foot and shall be considered full compensation for furnishing labor, materials, tools, equipment, and incidentals, and for doing all work involved in furnishing and installing, complete in place, as shown on the plans, as specified in the Standard Specifications and these Special Provisions, and as directed by the Engineer, and no additional compensation will be allowed therefor.

Payment for **Aggregate Gravel Base - 4" depth** shall be made at the contract unit price per ton and shall be considered full compensation for furnishing labor, materials, tools, equipment, and incidentals, and for doing all work involved in furnishing and installing, complete in place, as shown on the plans, as specified in the Standard Specifications and these Special Provisions, and as directed by the Engineer, and no additional compensation will be allowed therefor.

Payment for **Concrete Header - 6" width** shall be made at the contract unit price per linear foot and shall be considered full compensation for furnishing labor, materials, tools,

equipment, and incidentals, and for doing all work involved in furnishing and installing, complete in place, as shown on the plans, as specified in the Standard Specifications and these Special Provisions, and as directed by the Engineer, and no additional compensation will be allowed therefor.

Payment for **Concrete Flatwork – 5” thick** shall be made at the contract unit price per square foot and shall be considered full compensation for furnishing labor, materials, tools, equipment, and incidentals, and for doing all work involved in furnishing and installing, complete in place, as shown on the plans, as specified in the Standard Specifications and these Special Provisions, and as directed by the Engineer, and no additional compensation will be allowed therefor.

Payment for **Concrete Formwork** shall be considered as included in other items of work and no additional payment will be made therefor.

Payment for **Irrigation System Adjustment** shall be made at the contract lump sum price and shall be considered full compensation for furnishing labor, materials, tools, equipment, and incidentals, and for doing all work involved in furnishing and installing, complete in place, as shown on the plans, as specified in the Standard Specifications and these Special Provisions, and as directed by the Engineer, and no additional compensation will be allowed therefor.

Payment for **Turf Re-establishment** shall be made at the contract lump sum price and shall be considered full compensation for furnishing labor, materials, tools, equipment, and incidentals, and for doing all work involved in furnishing and installing, complete in place, as shown on the plans, as specified in the Standard Specifications and these Special Provisions, and as directed by the Engineer, and no additional compensation will be allowed therefor.

City of Garden Grove

EASTGATE PARK FITNESS TRAIL

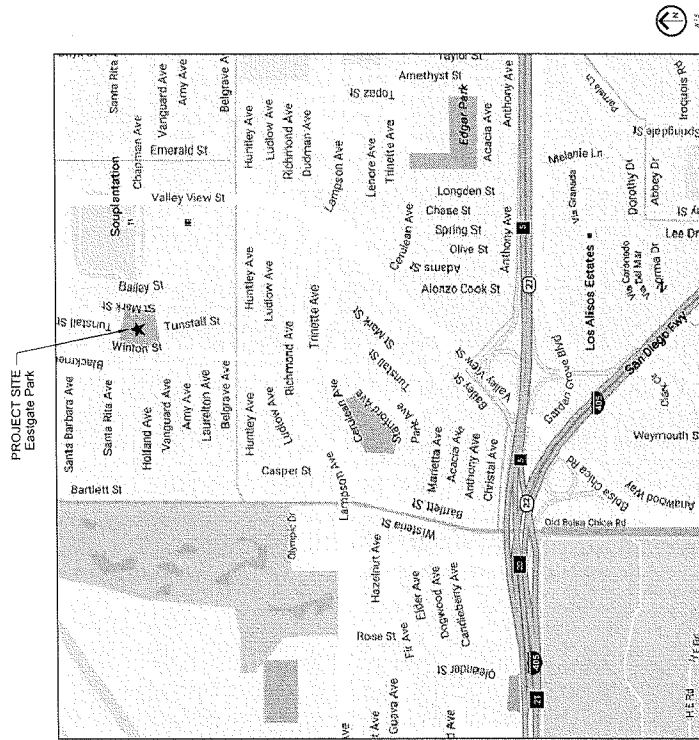
CONSTRUCTION PLANS

12001 St. Mark Street
Garden Grove, CA 92845



DWG. NO.	DRAWING TITLE
T.1	CONSTRUCTION PLAN
L.C.1	CONSTRUCTION AND IRRIGATION DETAILS
L.C.2	IRRIGATION PLAN
L.T.1	IRRIGATION PLAN
E.1	IRRIGATION PLAN

LOCATION MAP



GENERAL NOTES

1. GENERAL: All local, municipal, county and state laws, rules, and regulations governing or relating to any portion of this work are hereby incorporated into and made a part of these plans. All work shall be done in accordance with the applicable portions of the California Standard Specifications for Public Works Construction, as amended, and the California Department of Transportation (Caltrans) Standard Specifications for Public Works Construction (Current Edition), and the project's specifications, conditions of contract, and any other documents that may be referenced herein.
2. CONTRACTOR RESPONSIBILITY: The contractor shall accept full responsibility for any damages to existing utilities, structures, or other improvements, or to the property of any third party, caused by the construction of this project, and shall be responsible for obtaining all necessary permits and approvals from the appropriate agencies.
3. TRADE COORDINATION: Construction and installation of all items within these documents shall require close coordination between trades involved in underground and utility installation, and tree relocation, if any. The contractor shall coordinate with all trades involved in the project, and shall be responsible for obtaining all necessary permits and approvals from the appropriate agencies.
4. SITE DEBRIS: The contractor shall keep the premises clean and free of excess equipment, materials and rubbish incidental to this work. All rubbish, trash, debris or unwanted materials resulting from the construction of this project shall be removed from the site and disposed of at a designated disposal site. If debris remains on site for more than 12 hours, unless pre-approved by the City, such debris shall be removed by the contractor at the expense of the contractor.
5. FIELD OBSERVATION: The contractor shall coordinate and verify all field layout, dimensioning of work, grades and elevations, and work schedules unless otherwise noted. The contractor shall be responsible for obtaining all necessary permits and approvals from the appropriate agencies, and shall be responsible for obtaining all necessary permits and approvals from the appropriate agencies.
6. MUNICIPAL/COUNTY REQUIREMENTS: The contractor shall obtain all the necessary permits and approvals from the appropriate agencies, and shall be responsible for obtaining all necessary permits and approvals from the appropriate agencies.
7. SITE SECURITY: The contractor shall at all times protect his work from damage and theft and shall be responsible for obtaining all necessary permits and approvals from the appropriate agencies.
8. EXISTING UTILITIES: Existing utilities shall be protected and shall not be disturbed unless otherwise indicated. The contractor shall verify the location and condition of all utilities and shall be responsible for obtaining all necessary permits and approvals from the appropriate agencies.
9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PERSONNEL VERIFYING WITH THE ENGINEER ALL COPIES OF THE CONSTRUCTION DOCUMENTS AND SPECIFICATIONS ARE CORRECT AND APPROVED FOR CONSTRUCTION.
10. The contractor shall submit a construction schedule as requested by the City. The contractor shall be responsible for obtaining all necessary permits and approvals from the appropriate agencies.
11. The contractor is responsible for count verification and is to supply the quantities detailed graphically on plans.
12. All construction materials shall be subject to the inspection and approval of the City Engineer, or his/her designated representative, before installation.
13. All existing landscape areas damaged during construction must be restored to their original condition at the contractor's expense. Restoration of existing landscape areas shall be done to the satisfaction of the City Engineer.

SUBMITTAL DATES:

OCTOBER 4, 2016
Submitted Date
SUBMITTED DATE
MARCH 24, 2017
Submitted Date

SIGNATURE BLOCK:

City Engineer (Director of Public Works)

Date



PROJECT NO. 12001 ST. MARK STREET
SHEET NO. T.1 OF 5

NO.	DATE	BY
1		
2		
3		
4		
5		

EASTGATE PARK
FITNESS TRAIL

City of Garden Grove

NO.	DATE	BY
1		
2		
3		
4		
5		

TITLE SHEET

T.1
SHEET 1 OF 5



CONSTRUCTION MATERIALS SCHEDULE

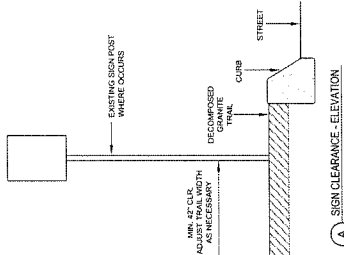
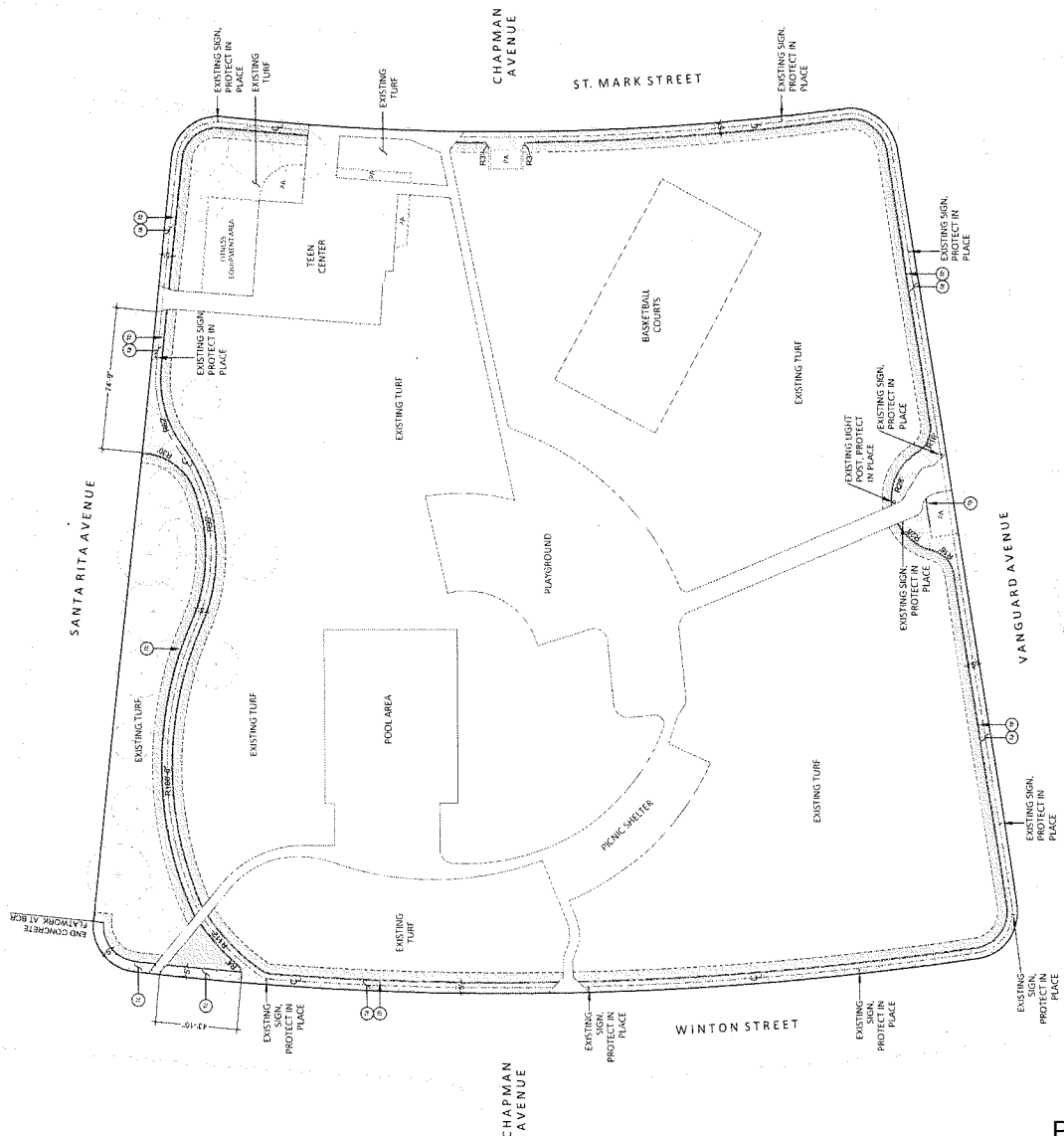
SYMBOL	DESCRIPTION	MATERIAL & MODEL #	MANUFACTURER (SUPPLIER)	DETAIL
(1)	1" DIAL STAINLESS STEEL GRADE 304	1" DIAL STAINLESS STEEL GRADE 304	1" DIAL STAINLESS STEEL GRADE 304	DETAIL A SHEET LC.2
(2)	CONCRETE CONCRETE HEADERS - 4" WIDE	CONCRETE CONCRETE HEADERS - 4" WIDE	CONCRETE CONCRETE HEADERS - 4" WIDE	DETAIL A SHEET LC.2
(3)	CONCRETE CONCRETE HEADERS - 4" WIDE	CONCRETE CONCRETE HEADERS - 4" WIDE	CONCRETE CONCRETE HEADERS - 4" WIDE	DETAIL A SHEET LC.2

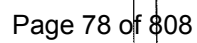
TURF RE-ESTABLISHMENT NOTE:

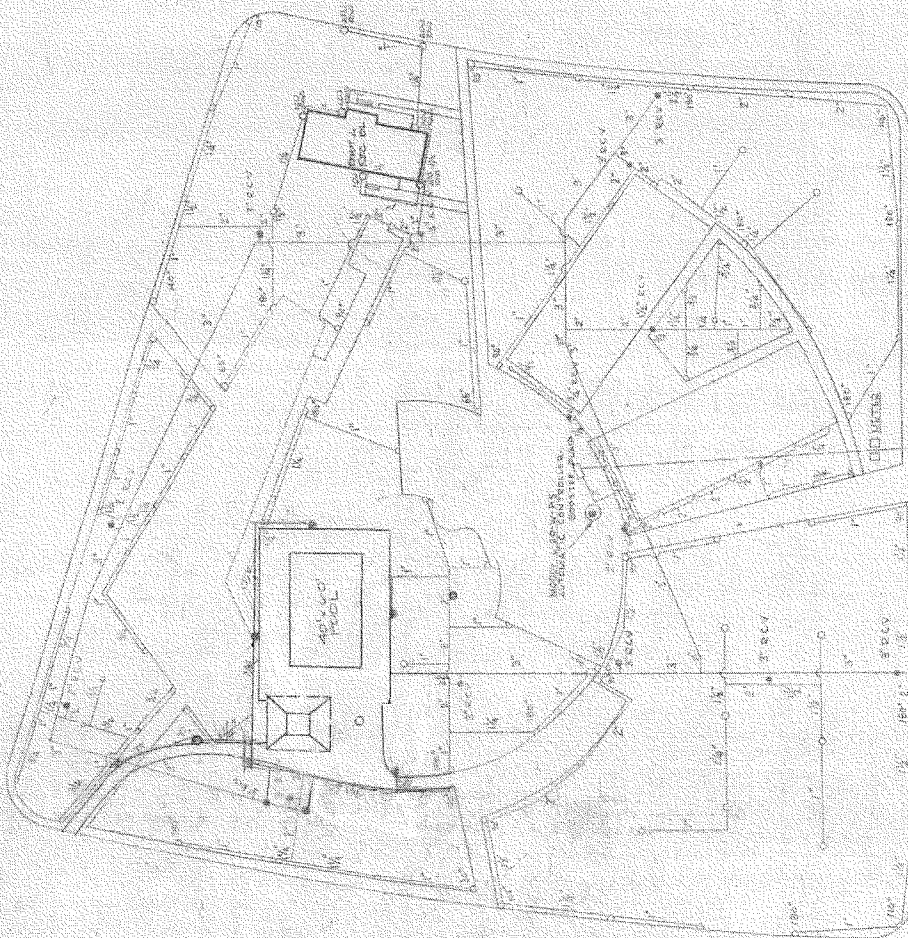
1. TURF RE-ESTABLISHMENT SHALL BE COMPLETED PRIOR TO THE START OF CONSTRUCTION OF THE TRAIL. 5' FROM THE EDGE OF THE NEW TRAIL. 500 SHALL BE 60% HYBRID BERMUDA, OBTAINED FROM PAPA 300 (BIO) SOURCE. SEE SPECIFICATIONS.

ITEMS TO PROTECT IN PLACE

SYMBOL	DESCRIPTION
(1)	EXISTING TREE - PROTECT IN PLACE
(2)	EXISTING CONCRETE HEADERS - PROTECT IN PLACE
(3)	EXISTING UTILITY BOXES - PROTECT IN PLACE
(4)	EXISTING SIGN - PROTECT IN PLACE







NOTE: ALL DIMENSIONS ARE TO CENTER OF ROAD OR DRIVE UNLESS OTHERWISE NOTED.

SYMBOLS

- 1. EXISTING ASPHALT DRIVE
- 2. EXISTING ASPHALT DRIVE
- 3. EXISTING ASPHALT DRIVE
- 4. EXISTING ASPHALT DRIVE
- 5. EXISTING ASPHALT DRIVE
- 6. EXISTING ASPHALT DRIVE
- 7. EXISTING ASPHALT DRIVE
- 8. EXISTING ASPHALT DRIVE
- 9. EXISTING ASPHALT DRIVE
- 10. EXISTING ASPHALT DRIVE
- 11. EXISTING ASPHALT DRIVE
- 12. EXISTING ASPHALT DRIVE
- 13. EXISTING ASPHALT DRIVE
- 14. EXISTING ASPHALT DRIVE
- 15. EXISTING ASPHALT DRIVE
- 16. EXISTING ASPHALT DRIVE
- 17. EXISTING ASPHALT DRIVE
- 18. EXISTING ASPHALT DRIVE
- 19. EXISTING ASPHALT DRIVE
- 20. EXISTING ASPHALT DRIVE
- 21. EXISTING ASPHALT DRIVE
- 22. EXISTING ASPHALT DRIVE
- 23. EXISTING ASPHALT DRIVE
- 24. EXISTING ASPHALT DRIVE
- 25. EXISTING ASPHALT DRIVE
- 26. EXISTING ASPHALT DRIVE
- 27. EXISTING ASPHALT DRIVE
- 28. EXISTING ASPHALT DRIVE
- 29. EXISTING ASPHALT DRIVE
- 30. EXISTING ASPHALT DRIVE
- 31. EXISTING ASPHALT DRIVE
- 32. EXISTING ASPHALT DRIVE
- 33. EXISTING ASPHALT DRIVE
- 34. EXISTING ASPHALT DRIVE
- 35. EXISTING ASPHALT DRIVE
- 36. EXISTING ASPHALT DRIVE
- 37. EXISTING ASPHALT DRIVE
- 38. EXISTING ASPHALT DRIVE
- 39. EXISTING ASPHALT DRIVE
- 40. EXISTING ASPHALT DRIVE
- 41. EXISTING ASPHALT DRIVE
- 42. EXISTING ASPHALT DRIVE
- 43. EXISTING ASPHALT DRIVE
- 44. EXISTING ASPHALT DRIVE
- 45. EXISTING ASPHALT DRIVE
- 46. EXISTING ASPHALT DRIVE
- 47. EXISTING ASPHALT DRIVE
- 48. EXISTING ASPHALT DRIVE
- 49. EXISTING ASPHALT DRIVE
- 50. EXISTING ASPHALT DRIVE
- 51. EXISTING ASPHALT DRIVE
- 52. EXISTING ASPHALT DRIVE
- 53. EXISTING ASPHALT DRIVE
- 54. EXISTING ASPHALT DRIVE
- 55. EXISTING ASPHALT DRIVE
- 56. EXISTING ASPHALT DRIVE
- 57. EXISTING ASPHALT DRIVE
- 58. EXISTING ASPHALT DRIVE
- 59. EXISTING ASPHALT DRIVE
- 60. EXISTING ASPHALT DRIVE
- 61. EXISTING ASPHALT DRIVE
- 62. EXISTING ASPHALT DRIVE
- 63. EXISTING ASPHALT DRIVE
- 64. EXISTING ASPHALT DRIVE
- 65. EXISTING ASPHALT DRIVE
- 66. EXISTING ASPHALT DRIVE
- 67. EXISTING ASPHALT DRIVE
- 68. EXISTING ASPHALT DRIVE
- 69. EXISTING ASPHALT DRIVE
- 70. EXISTING ASPHALT DRIVE
- 71. EXISTING ASPHALT DRIVE
- 72. EXISTING ASPHALT DRIVE
- 73. EXISTING ASPHALT DRIVE
- 74. EXISTING ASPHALT DRIVE
- 75. EXISTING ASPHALT DRIVE
- 76. EXISTING ASPHALT DRIVE
- 77. EXISTING ASPHALT DRIVE
- 78. EXISTING ASPHALT DRIVE
- 79. EXISTING ASPHALT DRIVE
- 80. EXISTING ASPHALT DRIVE
- 81. EXISTING ASPHALT DRIVE
- 82. EXISTING ASPHALT DRIVE
- 83. EXISTING ASPHALT DRIVE
- 84. EXISTING ASPHALT DRIVE
- 85. EXISTING ASPHALT DRIVE
- 86. EXISTING ASPHALT DRIVE
- 87. EXISTING ASPHALT DRIVE
- 88. EXISTING ASPHALT DRIVE
- 89. EXISTING ASPHALT DRIVE
- 90. EXISTING ASPHALT DRIVE
- 91. EXISTING ASPHALT DRIVE
- 92. EXISTING ASPHALT DRIVE
- 93. EXISTING ASPHALT DRIVE
- 94. EXISTING ASPHALT DRIVE
- 95. EXISTING ASPHALT DRIVE
- 96. EXISTING ASPHALT DRIVE
- 97. EXISTING ASPHALT DRIVE
- 98. EXISTING ASPHALT DRIVE
- 99. EXISTING ASPHALT DRIVE
- 100. EXISTING ASPHALT DRIVE

PLAN No.
EG-801

FOR REFERENCE ONLY. PROVIDED BY CITY OF GARDEN GROVE.

EASTGATE COMMUNITY PARK

ATTACHMENT "B"

(BID PRICING)

SECTION 2 - BID PRICING
THE HONORABLE MAYOR AND CITY COUNCIL
CITY OF GARDEN GROVE
11222 ACACIA PARKWAY
GARDEN GROVE, CALIFORNIA 92840

To: THE HONORABLE MAYOR AND CITY COUNCIL

The undersigned having carefully examined the Plans and Specifications for Furnish all Materials, Equipment, Tools, Labor and all related work for the Eastgate Park Fitness Trail per the bid specifications. HEREBY PROPOSE to furnish all labor, materials, and equipment and do all the work required to complete work in accordance with the Plans and Specifications for the sum of:

BID PROPOSAL	
LOCATION	TOTAL COST
Furnish all Materials, Equipment, Tools, Labor and all related work for the Eastgate Park Fitness Trail per the bid specifications	\$ 146,000.00
TOTAL COST in Written Words: <i>one hundred forty six thousand</i>	
PARTIAL BIDS WILL NOT BE ACCEPTED!	
The above bid price includes all applicable taxes for the pricing proposed in this submittal. Note: In case of discrepancy between the words and figures, the words prevail.	

It is understood and agreed that:

- (a) No verbal agreement or conversation with any officer, agent or employee of CITY, either before or after the execution of the Agreement shall affect or modify any of the terms or obligations of this Proposal.
- (b) CITY will not be responsible for any errors or omissions on the part of the undersigned in making up his bid, nor will bidders be released on account of errors.
- (c) The undersigned hereby certifies that this Proposal is genuine and is not sham or collusive, or made in the interest or in behalf of any person not herein named, and that the undersigned has not directly or indirectly induced or solicited any other bidder to put in a sham bid, or any other

person, firm or corporation to refrain from bidding, and that the undersigned has not in any manner sought, by collusion, to secure for himself an advantage over any other bidder.

(d) The Bidder acknowledges receipt of amendments to the Solicitation and related documents numbered and dated:

Amendment No.

Date

Addendum 1 4/18/17

Addendum 2 5/5/17

(e) undersigned has not in any manner sought, by collusion, to secure for himself an advantage over any other bidder.

Check below where appropriate:

☐ Partnership: That _____ are partners, doing
(Names of all Partners)

business under the firm name of _____ and
that the co-partnership makes the accompanying proposal.

☒ Corporation: That Ronald Lyon III LeeAnn Lyon of

_makes (President or Secretary) (Name of
Corporation) Southern California Landscape, Inc.

the accompanying proposal.

☐ Individual: That _____ is the bidder and makes the
(Name of Individual)
accompanying proposal.

Date: 5/5/17

Southern California Landscape, Inc.
Company Name

8636 Banana Ave

Address

Fontana CA 92335

City - State - Zip

909-350-3522

Telephone Number

socal915@aol.com

Email Address

753861

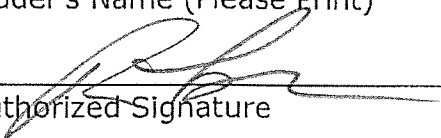
CA Contractors License Number

1000001528

DIR Registration Number

Southern California Landscape, Inc.

Bidder's Name (Please Print)


Authorized Signature

SECTION 3 - DOCUMENTS (Cont.).

DESIGNATION OF SUB-CONTRACTORS

1. Pursuant to Public Contract Code Sections §4104 of California Public Contract Code, the undersigned certifies that it has used the sub-bids of the following listed subcontractors to whom the Bidder proposes to subcontract portions of the work in an amount in excess of one-half of one percent of the total Bid Proposal and that the subcontractors listed will be used for the work for which they bid subject to the approval of the Engineer and in accordance with the applicable provisions of the Specifications. Please attach additional pages if needed.

1. Name of Subcontractor: Ruiz Brothers & Associates, Inc. DIR Reg# 1000047100
Address: 17859 Santiago Blvd, Villa Park Suite C Phone No: 714-353-5743
Individual, Partnership or Corporation: Corporation
Work to be performed: Concrete

2. Name of Subcontractor: _____ DIR Reg# _____
Address: _____ Phone No: _____
Individual, Partnership or Corporation: _____
Work to be performed: _____

3. Name of Subcontractor: _____ DIR Reg# _____
Address: _____ Phone No: _____
Individual, Partnership or Corporation: _____
Work to be performed: _____

4. Name of Subcontractor: _____ DIR Reg# _____
Address: _____ Phone No: _____
Individual, Partnership or Corporation: _____
Work to be performed: _____

5. Name of Subcontractor: _____ DIR Reg# _____
Address: _____ Phone No: _____
Individual, Partnership or Corporation: _____
Work to be performed: _____

Legal Name	Registration Number	County	City	Registration Date	Expiration Date
SOUTHERN CALIFORNIA LANDSCAPE INC	1000001528	SAN BERNARDINO	FONTANA	05/02/2016	06/30/2017



CONTRACTORS
STATE LICENSE BOARD
ACTIVE LICENSE



License Number

753861

Entity **CORP**

Business Name

**SOUTHERN CALIFORNIA
LANDSCAPE INC**

Classification(s)

C27

Expiration Date **09/30/2018**

www.cslb.ca.gov



City of Garden Grove

INTER-DEPARTMENT MEMORANDUM

To:	Scott C. Stiles	From:	William E. Murray
Dept.:	City Manager	Dept.:	Public Works
Subject:	Authorize the issuance of a purchase order to Fairview Ford Sales Incorporated for one (1) utility truck. (Cost: \$37,070.44) (<i>Action Item</i>)		
		Date:	5/23/2017

OBJECTIVE

To secure City Council authorization to purchase one (1) utility truck, in the amount of \$37,070.44, from Fairview Ford Sales Incorporated.

BACKGROUND

Public Works is responsible for providing safe and reliable vehicles for all City departments. The Public Works Department Water Division is adding one (1) new utility truck to its fleet of equipment. This fleet addition was approved through the Fiscal Year 2016/17 budget process.

DISCUSSION

Specifications were prepared and sent to bidders in the Southern California area. Four (4) bids were received. Pursuant to Garden Grove Municipal Code Section 2.50.060 and based on the City's Public Works Department recommendations, the Finance Director has determined that the bids received were responsive and are as follows:

Fairview Ford Sales, Inc. San Bernardino, CA	\$37,070.44
Carmenita Truck Center Santa Fe Springs, CA	\$39,802.89
Fairway Ford Placentia, CA	\$40,344.24
Reynolds Buick/GMC/Isuzu Covina, CA	\$43,010.51

FINANCIAL IMPACT

The financial impact is \$37,070.44 to the Water Operations Fund. There is no impact to the General Fund.

RECOMMENDATION

It is recommended that the City Council:

- Authorize the Finance Director to issue a purchase order in the amount of \$37,070.44, to Fairview Ford Sales, Incorporated for the purchase of one (1) utility truck.

By: Steve Sudduth, Equipment Lead Worker

City of Garden Grove

INTER-DEPARTMENT MEMORANDUM

To:	Scott C. Stiles	From:	William E. Murray
Dept.:	City Manager	Dept.:	Public Works
Subject:	Authorize the issuance of a purchase order to Coastline Equipment Company for one (1) heavy duty equipment trailer. (Cost: \$50,876.59) (<i>Action Item</i>)		
		Date:	5/23/2017

OBJECTIVE

To secure City Council authorization to purchase one (1) new heavy duty equipment trailer from Coastline Equipment Company through the National Joint Powers Alliance (NJPA) competitive bid program, Contract #05-2015TKI.

BACKGROUND

The Public Works Department has one (1) 1994 heavy duty equipment trailer that suffered a catastrophic failure to the hydraulic and structural systems and is currently unsafe to operate. The lack of available parts to repair the trailer make it necessary to replace it at this time. Experience has shown that the City's buying power is enhanced through joining with other public agencies to purchase fleet vehicles and equipment.

DISCUSSION

The NJPA nationally solicits, evaluates and awards contracts through a competitive bid process. As a member of NJPA, the City is able to utilize bid awards for equipment purchases. Staff recommends piggybacking on the results of a recent NJPA competitive bid program, Contract #05-2015TKI. The results deemed Coastline Equipment Co. as the lowest responsive bid.

Coastline Equipment Co.	\$50,876.59 *
-------------------------	---------------

* This price includes all applicable tax and destination charges.

FINANCIAL IMPACT

There is no impact to the General Fund. The financial impact is \$50,876.59 to the Fleet Management Fund. The surplus equipment will be sold at public auction.

RECOMMENDATION

It is recommended that the City Council:

- Authorize the Finance Director to issue a purchase order, in the amount of \$50,876.59, to Coastline Equipment Company for the purchase of one (1) new heavy duty equipment trailer.

By: Steve Sudduth, Equipment Mechanic Lead

City of Garden Grove

INTER-DEPARTMENT MEMORANDUM

To: Scott C. Stiles From: William E. Murray

Dept.: City Manager Dept.: Public Works

Subject: Award of contract to Nichols Consulting Engineers to provide a City-wide Pavement Management Program for Fiscal Years 2017/18 through 2020/21. (Cost: \$127,312) (*Action Item*) Date: 5/23/2017

OBJECTIVE

For City Council to award a contract to Nichols Consulting Engineers (NCE) to collect, update, and manage road condition data for the City-wide Pavement Management Program (PMP) for Fiscal Years 2017/18 through 2020/21.

BACKGROUND

The Engineering Division and Street Division of the Public Works Department utilize a PMP to determine maintenance needs for the City's network of roads, streets and alleys. A major requirement of the PMP is to generate condition assessment information of the City's street network. Arterial streets, collector streets, and residential streets are surveyed for quantity and severity of different types of pavement distresses. These measurements help determine the condition of the streets and prioritize the road rehabilitation and maintenance required. The measurements are also the basis for competing for, and receiving needed Orange County Transportation Authority (OCTA) funding to sustain a safe roadway network.

DISCUSSION

The City of Garden Grove's current street network consists of about 300 centerline miles of road totaling near 67 million square feet of flexible pavements. MPAH/arterial streets comprise approximately 16 million square feet. Local streets which include collector and residential, comprise approximately 51 million square feet.

The Measure M2 program allocates tax revenues to specific OCTA improvement

projects including freeways, local streets & roads, and transit areas. In order to continue receiving Measure M2 funding every two (2) years, a pavement inventory, assessment and projected rehabilitation or replacement data must be collected and submitted to OCTA. Collection of our street condition data is a critical step in applying for grant funds from OCTA, and is necessary in the setting of projected maintenance priorities and strategies.

The proposed contract provides for the performance of a pavement evaluation every two years and provides a biennial PMP report to OCTA. The report will be in conformance with the OCTA Countywide Pavement Management Plan Guideline dated January 2016 (or the latest edition during the terms of agreement).

Public Works invited qualified firms to submit written proposals to provide PMP services. The following firms responded to the City's request for proposals (RFP):

- Bucknam Infrastructure Group (Bucknam)
- GIE Consulting Engineers (GIE)
- Nichols Consulting Engineers (NCE)

The proposals were evaluated by Engineering and Streets Maintenance staff from Public Works. The selection process is based on experience of the firm on similar projects, qualifications of the team, firm's knowledge and understanding of the project, availability, and customer service experience provided by their respective references. Based on the tallied scores from the three evaluators, NCE obtained the highest score garnering a total of 550 points out of a possible 600 points.

The term of this service agreement will be for a period of three (3) years from full execution of agreement, with option to extend said agreement an additional one (1) year for a total performance period of four (4) years. NCE submitted the fee proposal that was reviewed and evaluated by Public Works with a grand total price of \$ 127,312.00 for the three-year term.

The anticipated contract schedule is as follows:

Award signed contract - June 30, 2017
Notice to Proceed - July 3, 2017
End of the 3-year contract - July 2, 2020
End of the 1 year extension - July 2, 2021

FINANCIAL IMPACT

The Professional Services Agreement cost for a term of three (3) years in the amount \$127,312 will be available in the Public Works Department budget.

RECOMMENDATION

It is recommended that the City Council:

- Award a Contract to Nichols Consulting Engineers, in the amount of

\$127,312.00, for City-wide Pavement Management Program for a period of three (3) years from full execution of the agreement, with an option to extend said agreement an additional one (1) year for a total performance period of four (4) years;

- Authorize the City Manager to execute the agreement, and make minor modifications as appropriate thereto, on behalf of the City.

By: Mike Santos, Associate Engineer

ATTACHMENTS:

Description	Upload Date	Type	File Name
Attachment 1 - Proposal Evaluation Sheet	5/4/2017	Backup Material	Attachment_1_-_Proposal_Evaluation_Sheet.pdf
Attachment 2 - Consultant Agreement	5/4/2017	Backup Material	Attachment_2_-_Consultant_Agreement.pdf
Exhibit A - NCE Proposal to Provide PMP	5/4/2017	Backup Material	Exhibit_A_-_NCE_Proposal_to_Provide_PMP.pdf

ATTACHMENT 1

Date: April 24, 2017

Re: RFP for City-wide Pavement Management Plan
Evaluation Result Summary

Evaluator	Consultant		
	NCE	Bucknam	GIE
Mark Uphus	196.00	193.00	169.00
Nick Hsieh	189.50	176.50	159.50
AJ Holmon	165.00	158.50	164.00
LINE TOTAL	550.50	528.00	492.50

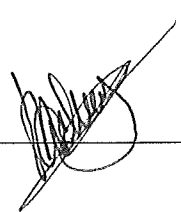
Difference from NCE: (22.50) (58.00)

PROPOSAL EVALUATION FORM

Consultant: Bucknam Infrastructure Group Date: 4-12-17

Project: City-wide Pavement Management Program

CRITERION	(a) Weight	(b) Score (0-10)	(a) x (b) Weighted Score	Remarks
PROPOSAL PRESENTATION				
○ Organization and Completeness	1.5	9	13.5	
○ Initiative & Creativity	1.5	10	15	
QUALIFICATIONS				
○ Experience of the firm on similar engagements/projects	2.5	10	25	
○ Qualifications & Experience of Personnel (PM and Staff)	2.0	10	20	
WORK PLAN				
○ Knowledge and understanding of the Project	2.5	10	25	
○ Availability	1.5	9	13.5	
○ Project Budgeting and Cost Control	2.0	9	18	
○ QA/QC	1.5	10	15	
REFERENCES				
○ Work quality provided to the reference(s)	2.5	10	25	
○ Customer service experience	2.5	9	22.5	
GRAND TOTAL	20.0		193	

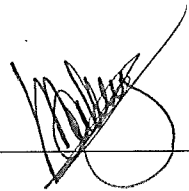
Evaluator: Mark Uphus Signature: 

PROPOSAL EVALUATION FORM

Consultant: G.I.E. Date: 4-12-17

Project: City-wide Pavement Management Program

CRITERION	(a) Weight	(b) Score (0-10)	(a) x (b) Weighted Score	Remarks
PROPOSAL PRESENTATION				
○ Organization and Completeness	1.5	8	12	
○ Initiative & Creativity	1.5	6	9	
QUALIFICATIONS				
○ Experience of the firm on similar engagements/projects	2.5	10	25	
○ Qualifications & Experience of Personnel (PM and Staff)	2.0	10	20	
WORK PLAN				
○ Knowledge and understanding of the Project	2.5	9	22.5	
○ Availability	1.5	9	13.5	
○ Project Budgeting and Cost Control	2.0	8	16	
○ QA/QC	1.5	9	13.5	
REFERENCES				
○ Work quality provided to the reference(s)	2.5	7	17.5	
○ Customer service experience	2.5	8	20	
GRAND TOTAL	20.0		169	

Evaluator: Mark Uphus Signature: 

PROPOSAL EVALUATION FORM

Consultant: N.C.E. Date: 4-10-17

Project: City-wide Pavement Management Program

CRITERION	(a) Weight	(b) Score (0-10)	(a) x (b) Weighted Score	Remarks
PROPOSAL PRESENTATION				
○ Organization and Completeness	1.5	9.5	14.25	
○ Initiative & Creativity	1.5	9	13.5	
QUALIFICATIONS				
○ Experience of the firm on similar engagements/projects	2.5	10	25	
○ Qualifications & Experience of Personnel (PM and Staff)	2.0	10	20	
WORK PLAN				
○ Knowledge and understanding of the Project	2.5	10	25	
○ Availability	1.5	10	15	
○ Project Budgeting and Cost Control	2.0	9	18	
○ QA/QC	1.5	10	15	
REFERENCES				
○ Work quality provided to the reference(s)	2.5	10	25	
○ Customer service experience	2.5	10	25	
GRAND TOTAL	20.0		196	

Evaluator: _____

Signature: _____

Mark Uphus

PROPOSAL EVALUATION FORM

Consultant: Bucknam Infrastructure Group Date: 4/12/17

Project: City-wide Pavement Management Program

CRITERION	(a) Weight	(b) Score (0-10)	(a) x (b) Weighted Score	Remarks
PROPOSAL PRESENTATION				
○ Organization and Completeness	1.5	8	12	
○ Initiative & Creativity	1.5	9	13.5	
QUALIFICATIONS				
○ Experience of the firm on similar engagements/projects	2.5	10	25	
○ Qualifications & Experience of Personnel (PM and Staff)	2.0	9	18	
WORK PLAN				
○ Knowledge and understanding of the Project	2.5	10	25	
○ Availability	1.5	10	15	
○ Project Budgeting and Cost Control	2.0	8	16	
○ QA/QC	1.5	8	12	
REFERENCES				
○ Work quality provided to the reference(s)	2.5	8	20	
○ Customer service experience	2.5	8	20	
GRAND TOTAL	20.0		176.5	

Evaluator: Nick Hsieh Signature: MA

PROPOSAL EVALUATION FORM

Consultant: G.I.E. Date: 4/12/17

Project: City-wide Pavement Management Program

CRITERION	(a) Weight	(b) Score (0-10)	(a) x (b) Weighted Score	Remarks
PROPOSAL PRESENTATION				
○ Organization and Completeness	1.5	8	12	
○ Initiative & Creativity	1.5	8	12	
QUALIFICATIONS				
○ Experience of the firm on similar engagements/projects	2.5	8	20	
○ Qualifications & Experience of Personnel (PM and Staff)	2.0	9	18	
WORK PLAN				
○ Knowledge and understanding of the Project	2.5	10	25	
○ Availability	1.5	7	10.5	
○ Project Budgeting and Cost Control	2.0	7	14	
○ QA/QC	1.5	7	10.5	
REFERENCES				
○ Work quality provided to the reference(s)	2.5	8	20	
○ Customer service experience	2.5	7	17.5	
GRAND TOTAL	20.0		159.5	

Evaluator: Nick Asieh Signature: MA Page 100 of 808

PROPOSAL EVALUATION FORM

Consultant: N.C.E. Date: 4/12/17

Project: City-wide Pavement Management Program

CRITERION	(a) Weight	(b) Score (0-10)	(a) x (b) Weighted Score	Remarks
PROPOSAL PRESENTATION				
○ Organization and Completeness	1.5	10	15	
○ Initiative & Creativity	1.5	10	15	
QUALIFICATIONS				
○ Experience of the firm on similar engagements/projects	2.5	10	25	
○ Qualifications & Experience of Personnel (PM and Staff)	2.0	9	18	
WORK PLAN				
○ Knowledge and understanding of the Project	2.5	10	25	
○ Availability	1.5	9	13.5	
○ Project Budgeting and Cost Control	2.0	9	18	
○ QA/QC	1.5	10	15	
REFERENCES				
○ Work quality provided to the reference(s)	2.5	9	22.5	
○ Customer service experience	2.5	9	22.5	
GRAND TOTAL	20.0		189.5	

Evaluator: Nick Hsieh Signature: MA

PROPOSAL EVALUATION FORM

Consultant Bucknam Infrastructure Group Date: 4-17-17

Project: City-wide Pavement Management Program

CRITERION	(a) Weight	(b) Score (0-10)	(a) x (b) Weighted Score	Remarks
PROPOSAL PRESENTATION				
○ Organization and Completeness	1.5	8	12	
○ Initiative & Creativity	1.5	7	10.5	
QUALIFICATIONS				
○ Experience of the firm on similar engagements/projects	2.5	8	20	
○ Qualifications & Experience of Personnel (PM and Staff)	2.0	9	18	
WORK PLAN				
○ Knowledge and understanding of the Project	2.5	8	20	
○ Availability	1.5	9	13.5	
○ Project Budgeting and Cost Control	2.0	8	16	
○ QA/QC	1.5	9	13.5	
REFERENCES				
○ Work quality provided to the reference(s)	2.5	7	17.5	
○ Customer service experience	2.5	7	17.5	
GRAND TOTAL	20.0		158.50	

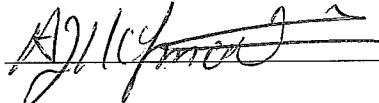
Evaluator: AJ Holman Signature: AJ Holman

PROPOSAL EVALUATION FORM

Consultant G.I.E. Date: _____

Project: City-wide Pavement Management Program

CRITERION	(a) Weight	(b) Score (0-10)	(a) x (b) Weighted Score	Remarks
PROPOSAL PRESENTATION				
o Organization and Completeness	1.5	8	12	
o Initiative & Creativity	1.5	7	10.5	
QUALIFICATIONS				
o Experience of the firm on similar engagements/projects	2.5	9	22.5	
o Qualifications & Experience of Personnel (PM and Staff)	2.0	9	18	
WORK PLAN				
o Knowledge and understanding of the Project	2.5	10	25	
o Availability	1.5	7	10.5	
o Project Budgeting and Cost Control	2.0	9	18	
o QA/QC	1.5	7	10.5	
REFERENCES				
o Work quality provided to the reference(s)	2.5	7	17.5	
o Customer service experience	2.5	8	20	
GRAND TOTAL	20.0		164	

Evaluator: A.S. Holman Signature: 

PROPOSAL EVALUATION FORM

Consultant N.C.E. Date: _____

Project: City-wide Pavement Management Program

CRITERION	(a) Weight	(b) Score (0-10)	(a) x (b) Weighted Score	Remarks
PROPOSAL PRESENTATION				
○ Organization and Completeness	1.5	8	12	
○ Initiative & Creativity	1.5	7	10.5	
QUALIFICATIONS				
○ Experience of the firm on similar engagements/projects	2.5	9	22.5	
○ Qualifications & Experience of Personnel (PM and Staff)	2.0	9	18	
WORK PLAN				
○ Knowledge and understanding of the Project	2.5	10	25	
○ Availability	1.5	9	13.5	
○ Project Budgeting and Cost Control	2.0	9	18	
○ QA/QC	1.5	7	10.5	
REFERENCES				
○ Work quality provided to the reference(s)	2.5	7	17.5	
○ Customer service experience	2.5	7	17.5	
GRAND TOTAL	20.0		165	

Evaluator: AS Holmon Signature: [Signature]

ATTACHMENT 2

CONSULTANT AGREEMENT

Nichols Consulting Engineers

THIS AGREEMENT is made this 23rd day of May, 2017 by the CITY OF GARDEN GROVE, a municipal corporation, ("CITY"), and Nichols Consulting Engineers (NCE), a California Corporation ("CONSULTANT").

RECITALS

The following recitals are a substantive part of this Agreement:

1. This Agreement is entered into pursuant to CITY OF GARDEN GROVE Council Authorization dated May 23, 2017.
2. CITY desires to utilize the services of CONSULTANT to provide professional engineering services for the 2017-2021 Pavement Management Program (PMP) including labor, materials, and equipment necessary to survey, assess, and evaluate the pavement condition in accordance with the CONSULTANT'S proposal and fee schedule attached hereto as Exhibit "A" and incorporated herein by reference.
3. CONSULTANT is qualified by virtue of experience, training, education and expertise to accomplish services.

AGREEMENT

THE PARTIES MUTUALLY AGREE AS FOLLOWS:

1. **Term of Agreement:** This Agreement shall commence on the date stated above. The term of agreement shall be for a period of three (3) years from full execution of agreement, with option to extend said agreement an additional one (1) year for a total performance period of four (4) years.
2. **Services to be Provided:** The services to be performed by CONSULTANT shall consist of the services as further specified in CONSULTANT'S proposal attached hereto as Exhibit "A" and incorporated herein by reference. CONSULTANT agrees that is provision of Services under this agreement shall be within accepted accordance with customary and usual practices in CONSULTANT'S profession. By executing this Agreement, CONSULTANT warrants that it has carefully considered how the work should be performed and fully understands the facilities, difficulties, and restrictions attending performance of the work under this agreement.
3. **Compensation.** CONSULTANT shall be compensated as follows:
 - 3.1 Amount. CONSULTANT shall be compensated in accordance with the rate schedule set forth in Exhibit "A".

- 3.2 Not to Exceed. The Parties agree that CONSULTANT shall bill for the Services provided by CONSULTANT to City on an hourly basis, except where otherwise set forth herein, provided compensation under this Proposal shall not exceed \$127,312.00. CONSULTANT warrants that all services will be performed in a competent, professional and satisfactory manner in accordance with the standards prevalent in the industry for such services. CONSULTANT shall not be compensated for any services rendered in connection with its performance of this Agreement, which are in addition to those set forth herein, unless such additional services are authorized in advance and in writing by the City Manager. The Proposal and this Agreement do not guarantee any specific amount of work.
- 3.3 Payment. For work under this Agreement, payment shall be made per monthly invoice. For extra work not a part of this Agreement, a written authorization by CITY will be required and payment shall be based on hourly rates as provided in Exhibit "A".
- 3.4 Records of Expenses. CONSULTANT shall keep complete and accurate records of payroll costs, travel and incidental expenses. These records will be made available at reasonable times to CITY.
- 3.5 Termination. CITY and CONSULTANT shall each have the right to terminate this Agreement, without cause, by giving thirty-(30) days written notice of termination to the other party. If CITY terminates the project, then the provisions of paragraph 3 shall apply to that portion of the work completed.

4. **Insurance Requirements**

- 4.1 Commencement of Work CONSULTANT shall not commence work under this Agreement until all certificates and endorsements have been received and approved by the CITY. All insurance required by this Agreement shall contain a Statement of Obligation on the part of the carrier to notify the CITY of any material change, cancellation, or termination at least thirty (30) days in advance.
- 4.2 Workers Compensation Insurance For the duration of this Agreement, CONSULTANT and all subcontractors shall maintain Workers Compensation Insurance in the amount and type required by law, if applicable. The insurer shall waive its rights of subrogation against the CITY, its officers, officials, agents, employees, and volunteers.
- 4.3 Insurance Amounts CONSULTANT shall maintain the following insurance for the duration of this Agreement:
- a) Commercial general liability in the amount of \$1,000,000 per occurrence; (claims made and modified occurrence policies are not acceptable); Insurance companies must be admitted and

licensed in California and have a Best's Guide Rating of A-, Class VII or better, as approved by the CITY;

- b) Automobile liability in the amount of \$1,000,000 per occurrence; (claims made and modified occurrence policies are not acceptable) Insurance companies must be admitted and licensed in California and have a Best's Guide Rating of A-, Class VII or better, as approved by the CITY.
- c) Professional liability in the amount of \$1,000,000 per occurrence; Insurance companies must be acceptable to CITY and have an AM Best's Guide Rating of A-, Class VII or better, as approved by the CITY. If the policy is written on a "claims made" basis, the policy shall be continued in full force and effect at all times during the term of the agreement, and for a period of three (3) years from the date of the completion of services provided. In the event of termination, cancellation, or material change in the policy, professional/consultant shall obtain continuing insurance coverage for the prior acts or omissions of professional/consultant during the course of performing services under the term of the agreement. The coverage shall be evidenced by either a new policy evidencing no gap in coverage, or by obtaining separate extended "tail" coverage with the present or new carrier.

An Additional Insured Endorsement, **ongoing and completed operations**, for the policy under section 4.3 (a) shall designate CITY, its officers, officials, employees, agents, and volunteers as additional insureds for liability arising out of work or operations performed by or on behalf of the CONSULTANT. CONSULTANT shall provide to CITY proof of insurance and endorsement forms that conform to city's requirements, as approved by the CITY.

An Additional Insured Endorsement for the policy under section 4.3 (b) shall designate CITY, its officers, officials, employees, agents, and volunteers as additional insureds for automobiles owned, lease, hired, or borrowed by CONSULTANT. CONSULTANT shall provide to CITY proof of insurance and endorsement forms that conform to CITY's requirements, as approved by the CITY.

For any claims related to this Agreement, CONSULTANT's insurance coverage shall be primary insurance as respects to CITY, its officers, officials, employees, agents, and volunteers. Any insurance or self-insurance maintained by the CITY, its officers, officials, employees, agents, or volunteers shall be excess of the CONSULTANT's insurance and shall not contribute with it.

If CONSULTANT maintains higher insurance limits than the minimums shown above, CONSULTANT shall provide coverage for the higher insurance limits otherwise maintained by the CONSULTANT.

5. **Non-Liability of Officials and Employees of the CITY.** No official or employee of CITY shall be personally liable to CONSULTANT in the event of any default or breach by CITY, or for any amount, which may become due to CONSULTANT.
6. **Non-Discrimination.** CONSULTANT covenants there shall be no discrimination against any person or group due to race, color, creed, religion, sex, marital status, age, handicap, national origin or ancestry, in any activity pursuant to this Agreement.
7. **Independent Consultant.** It is agreed to that CONSULTANT shall act and be an independent consultant and not an agent or employee of CITY, and shall obtain no rights to any benefits which accrue to CITY'S employees.
8. **Compliance With Law.** CONSULTANT shall comply with all applicable laws, ordinances, codes, and regulations of the federal, state, and local government. CONSULTANT shall comply with, and shall be responsible for causing all consultants, contractors and subcontractors performing any of the work pursuant to this Agreement to comply with, all applicable federal and state labor standards, including, to the extent applicable, the prevailing wage requirements promulgated by the Director of Industrial Relations of the State of California Department of Labor. The City makes no warranty or representation concerning whether any of the work performed pursuant to this Agreement constitutes public works subject to the prevailing wage requirements.
9. **Disclosure of Documents.** All documents or other information developed or received by CONSULTANT are confidential and shall not be disclosed without authorization by CITY, unless disclosure is required by law.
10. **Ownership of Work Product.** All documents or other information developed or received by CONSULTANT shall be the property of CITY. CONSULTANT shall provide CITY with copies of these items upon demand or upon termination of this Agreement. Any use of such completed documents for other projects and/or use of incomplete documents without specific written authorization by CONSULTANT will be at CITY's sole risk and without liability to CONSULTANT.
11. **Conflict of Interest and Reporting.** CONSULTANT shall at all times avoid conflict of interest or appearance of conflict of interest in performance of this Agreement.
12. **Notices.** All notices shall be personally delivered or mailed to the below listed addresses, or to such other addresses as may be designated by written notice. These addresses shall be used for delivery of service of process.

(a) Address of CONSULTANT is as follows:

Nichols Consulting Engineers
9550 Warner Ave., Suite 370
Fountain Valley, CA 92708

(b) Address of CITY is as follows (with a copy to):

Engineering:
Mark Uphus
City of Garden Grove
11222 Acacia Prkwy
Garden Grove, CA 92840

City Attorney
City of Garden Grove
11222 Acacia Prkwy
Garden Grove, CA 92840

13. **CONSULTANT'S Proposal.** This Agreement shall include CONSULTANT'S proposal, Exhibit "A" hereto, which shall be incorporated herein. In the event of any inconsistency between the terms of the proposal and this Agreement, this Agreement shall govern.
14. **Licenses, Permits and Fees.** At its sole expense, CONSULTANT shall obtain a **Garden Grove Business License**, all permits and licenses as may be required by this Agreement.
15. **Familiarity With Work.** By executing this Agreement, CONSULTANT warrants that: (1) it has investigated the work to be performed; (2) it has investigated the site of the work and is aware of all conditions there; and (3) it understands the facilities, difficulties and restrictions of the work under this Agreement. Should CONSULTANT discover any latent or unknown conditions materially differing from those inherent in the work or as represented by CITY, it shall immediately inform CITY of this and shall not proceed, except at CONSULTANT'S risk, until written instructions are received from CITY.
16. **Time of Essence.** Time is of the essence in the performance of this Agreement.
17. **Limitations Upon Subcontracting and Assignment.** The experience, knowledge, capability and reputation of CONSULTANT, its principals and employees were a substantial inducement for CITY to enter into this Agreement. CONSULTANT shall not contract with any other entity to perform the services required without written approval of the CITY. This Agreement may not be assigned voluntarily or by operation of law, without the prior written approval of CITY. If CONSULTANT is permitted to subcontract any part of this Agreement, CONSULTANT shall be responsible to CITY for the acts and omissions of its subcontractor as it is for persons directly employed. Nothing contained in this Agreement shall create any contractual relationship between any subcontractor and CITY. All persons engaged in the work will be considered employees of CONSULTANT. CITY will deal directly with and will make all payments to CONSULTANT.
18. **Authority to Execute.** The persons executing this Agreement on behalf of the parties warrant that they are duly authorized to execute this Agreement and that by executing this Agreement, the parties are formally bound.

19. **Indemnification.** To the fullest extent permitted by law, CONSULTANT agrees to protect, defend, and hold harmless CITY and its elective or appointive boards, officers, agents, and employees from any and all claims, liabilities, expenses, or damages of any nature, including attorneys' fees, for injury or death of any person, or damages of any nature, including interference with use of property, arising out of, or in any way connected with the negligence, recklessness and/or intentional wrongful conduct of CONSULTANT, CONSULTANT'S agents, officers, employees, subcontractors, or independent contractors hired by CONSULTANT in the performance of the Agreement. The only exception to CONSULTANT'S responsibility to protect, defend, and hold harmless CITY, is due to the sole negligence, recklessness and/or wrongful conduct of CITY, or any of its elective or appointive boards, officers, agents, or employees.

This hold harmless agreement shall apply to all liability regardless of whether any insurance policies are applicable. The policy limits do not act as a limitation upon the amount of indemnification to be provided by CONSULTANT.

20. **Modification.** This Agreement constitutes the entire agreement between the parties and supersedes any previous agreements, oral or written. This Agreement may be modified only by subsequent mutual written agreement executed by CITY and CONSULTANT.
21. **Waiver.** All waivers of the provisions of this Agreement must be in writing by the appropriate authorities of the CITY and CONSULTANT.
22. **California Law.** This Agreement shall be construed in accordance with the laws of the State of California. Any action commenced about this Agreement shall be filed in the central branch of the Orange County Superior Court.
23. **Interpretation.** This Agreement shall be interpreted as though prepared by both parties
24. **Preservation of Agreement.** Should any provision of this Agreement be found invalid or unenforceable, the decision shall affect only the provision interpreted, and all remaining provisions shall remain enforceable.
25. **Dispute Resolution.** CITY and CONSULTANT agree that they shall first submit any and all unsettled claims, counterclaims, disputes, and other matters in question between them arising out of or relating to this Agreement to mediation in accordance with the Construction Industry Mediation Rules of the American Arbitration Association, effective as of the date of this agreement.

26. **Litigation Support.** If CONSULTANT personnel are called or subpoenaed for depositions, examination, or court appearances in any dispute or matter arising out of the Project, CONSULTANT shall be reimbursed on a time and material basis in accordance with the CONSULTANT's then current standard billing rates, including all out-of-pocket costs, including researching, providing, or copying files, records or other instruments of service, incurred in connection with such matters.
27. **Force Majeure.** Neither party to this Agreement will be liable to the other party for delays in performing services, nor for the direct or indirect cost resulting from such delays that may result from labor strikes, riots, war, acts of government authorities, extraordinary weather conditions or other natural catastrophe, or any other cause beyond the reasonable control or contemplation of either party.

[SIGNATURES ON FOLLOWING PAGE]

IN WITNESS THEREOF, these parties hereto have caused this Agreement to be executed as of the date set forth opposite the respective signatures.

"CITY"
CITY OF GARDEN GROVE

Dated: _____, 2017

By: _____
City Manager

ATTEST

"CONSULTANT"
Nichols Consulting Engineers

City Clerk


By: _____
Title: _____

Dated: _____, 2017

Dated: _____, 2017

APPROVED AS TO FORM:

If CONSULTANT/CONTRACTOR is a corporation, a Corporate Resolution and/or Corporate Seal is required. If a partnership, Statement of Partnership must be submitted to CITY


Garden Grove City Attorney

Dated: 5-2, 2017

EXHIBIT “A”



PROPOSAL TO PROVIDE
2017-2021 Pavement Management Program

March 28, 2017



Submitted By:

Fountain Valley Office

9550 Warner Avenue, Suite 370

Fountain Valley, CA 92708

Phone: 714.848.8897

NCE Proposal No. 917.01.30



Table of Contents

Transmittal Letter	1
Project Understanding.....	3
Scope of Work	6
Project Schedule.....	14
Company Profile	15
Key Personnel.....	29

Appendices

Appendix A – Resumes

Appendix B – Sample QC Plan

Appendix C – Sample Work

Fee Schedule (Sealed Envelope)

March 28, 2017

City of Garden Grove
Attention: Mr. Mark Uphus
Public Works-Engineering
11222 Acacia Parkway
Garden Grove, CA 92842

Re: Proposal for 2017-2021 Pavement Management Plan (PMP)




Dear Mr. Uphus and Members of the Selection Committee:

Pavement networks are often the most valuable asset that a city owns. This asset is not only expensive to replace, but it is an essential component to the traveling public's safety. Cities are looking for more cost-effective ways to perform engineering, maintenance, management, and rehabilitation of roadways more than ever before to stretch funding allocations. An essential tool to assist in cost-effective roadway maintenance planning is a current pavement management program (PMP).

Currently, in Sacramento, Assembly member Jim Frazier and Senator Jim Beall have reintroduced their transportation funding bills (AB1 and SB1) for the new session; if passed, the City of Garden Grove is expected to receive as much as \$6 million annually. However, additional funds may come with requirements on how streets are selected and transparency reporting requirements. These are easily accomplished with an updated PMP.

With more than 80 person-years of experience with pavement management programs, NCE has more knowledge and understanding than any other pavement consulting firm. Our team can provide the City with the technical and management experience to address the data collection, analysis and reporting the City requires for this project. Our highly trained and capable technical staff are experienced in data collection, have worked together on numerous other similar projects and have developed an excellent reputation for dedication, integrity, productivity, quality of work and service to our clients.







Specifically, the NCE team provides the following capabilities to the City:

-  **OCTA certified inspectors** - NCE's field inspectors and engineers are certified through both the Metropolitan Transportation Commission (MTC) and **OCTA's Inspector Certification** Programs.
-  **Familiarity with OCTA's M2 requirements** - NCE assisted OCTA in the development of OCTA's countywide PMP requirements, and can ensure that Garden Grove is in compliance. Our participation at the TAC meetings allows us to be up-to-date on any new developments.
-  **Southern California experience providing PMP** - NCE has performed dozens of similar PMP projects for agencies within Orange County such as the Cities of Anaheim, Buena Park, Dana Point, La Habra, Laguna Niguel, Lake Forest, Mission Viejo, Orange, San Clemente, Seal Beach, Stanton, and Tustin and Orange County. We have also worked with other agencies such as Santa Monica, Carson, San Gabriel, Torrance and the Counties of San Diego, Santa Barbara and Ventura. NCE has worked with more than 200 local agencies throughout California (see map, on right) delivering PMS projects.



Fountain Valley, CA

9550 Warner Ave., Suite 370
Fountain Valley, CA 92708
(714) 848-8897

-  **Understanding of funding challenges and policy** - We are currently leading the California Statewide Local Streets and Roads Needs Assessment Project, and are thus intimately aware of the funding sources and challenges agencies face in roadway maintenance programming. We are providing supporting information for both AB1 and SB1 and we can perform similar analysis to ensure that the City's needs are accurately represented.
-  **Local firm** – NCE is a local firm only 30 minutes from the City's offices, which equates to easy access to our staff during the project and the ability to facilitate on-site meetings as necessary.
-  **Automated surveying teaming** – NCE and märker geospatial, llc have teamed together on many projects throughout California and offer the City reliable, efficient and comprehensive automated survey services and analysis. Our team recently completed a similar project for Orange County, Dana Point and Lake Forest.
-  **Real-life knowledge of local agency needs** - NCE understands the types of challenges frequently encountered by Cities, such as lack of trained personnel or funds, budgetary concerns, and other institutional issues inherent in the use of pavement management programs.
-  **Expertise in pavement engineering** - NCE has a depth of pavement experts that specialize in asphalt and concrete materials. We will assist the City in developing practical and economical solutions for maintenance and rehabilitation as part of the budget analyses, if desired. NCE staff serve on more than 10 pavement related committees of the Transportation Research Board, which translates to extensive in-house resources we can access for innovative pavement solutions.
-  **Rigorous Quality Control** - All of NCE's projects include a QC Manager who reports directly to the Project Manager. Additionally, NCE's engineers and technicians undergo a mandatory internal training/calibration once a year for field condition surveys, as well as for other PMP related activities. This oversight and training enables NCE to provide high quality deliverables to the City.

As a Principal of the firm, I am authorized to negotiate and obligate NCE to this contract. Lisa K. Senn will serve as the proposed Project Manager and single point of contact for any questions that may arise in the review of our proposal. Our contact information is as follows:

Ms. Lisa K. Senn
Sr. Project Manager
Phone: (714) 848-8897
LSenn@ncenet.com

9550 Warner Avenue, Suite 370
Fountain Valley, CA 92708
Fax: (775) 329-5098

NCE's proposal is valid for 90 days after the date of submission. NCE has reviewed the procurement and selection process and has submitted the Fee Proposal in a separate sealed envelope. We have also received and reviewed addendum #1 dated March 20, 2017. We look forward to your favorable review of our proposal so we can begin work with the City on this project. During your review of our proposal, please feel free to contact either of us at (714) 848-8897 with any questions or concerns that may arise.

Yours truly,



Margot Yapp, PE
Principal/QC Manager



Lisa K. Senn
Project Manager



Project Understanding, Approach and Methodology

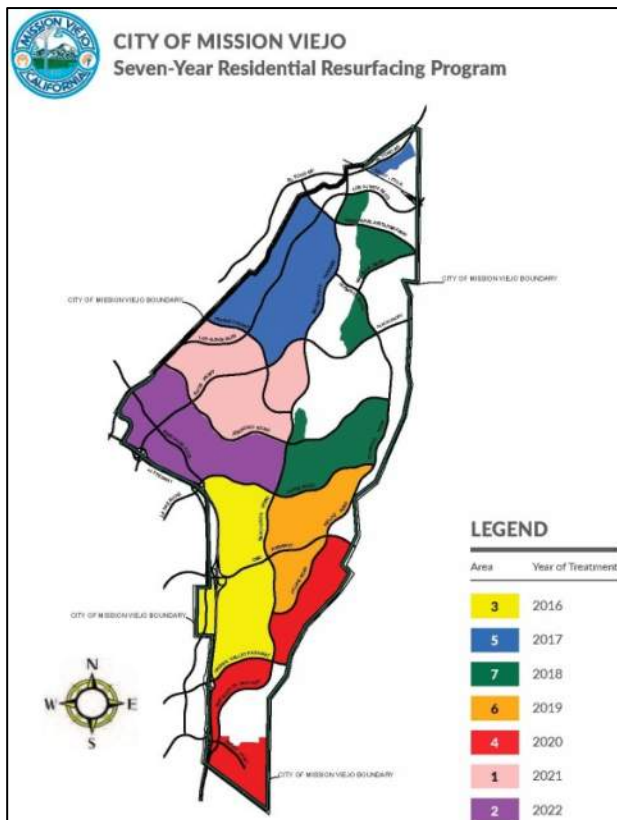
Project Understanding

NCE understands the City of Garden Grove seeks an engineering consultant to update the City's pavement management program (PMP) in compliance with OCTA's Measure M2 requirements. The City's pavement network consists of approximately 300 miles of paved roads and the PAVER™ (version 7.0.6) program is currently being utilized.

Passage of Measure M2 includes assurances of transparency and accountability to the public so voters can see and understand that this funding source is spent in the most cost-effective manner, and that performance measures are instituted. One such measure is the Pavement Condition Index (PCI) which is reported periodically to elected officials and/or the public. To ensure that the City's PCI is accurate and updated appropriately, the NCE team consists of certified and experienced inspectors that will collect accurate, reliable and consistent data, which will be the foundation for all analyses and reports.



NCE is experienced not just in collecting data but also developing maintenance and rehabilitation strategies that are sustainable, innovative and cost effective. An example is our evaluation of light colored coatings for asphalt concrete streets in Santa Monica as one way to reduce the heat island impact. Another is the design of composite pavements that may be an appropriate alternative on major arterials, since OCTA has authorized the purchase of buses that exceed the legal axle load limits which are expected to accelerate pavement deterioration.



We have performed similar updates for many other agencies throughout California. Within Orange County, our analyses and reports meet OCTA's guidelines (we have set the standard in many cases). We assisted OCTA in the development of the countywide pavement management guidelines and therefore we are highly familiar with local conditions and OCTA's requirements.









Ideally, the PMP should be used to prepare a seven year maintenance plan, which consists of a rotating maintenance schedule using a zone improvement approach. This is similar to the approach used by other cities, as it optimizes construction costs by reducing mobilization and also minimizes disruptions to businesses and residents. NCE has prepared similar analyses, most recently for the City of Mission Viejo, which has seven residential zones (see map on the left).

For the 2017 update, it is NCE's understanding that the City wants to update the pavement conditions of the street network, and then develop a seven-year improvement plan using the most effective maintenance and repair strategies. Also, in order to incorporate sustainable maintenance strategies as well as seamlessly develop a multi-year CIP using a zone approach, we understand that the City is considering switching to the StreetSaver® software to better facilitate this

analysis. Therefore, an optional task has been included in our scope of work for software analysis.

Project Understanding, Approach and Methodology Summary

Specifically, NCE's scope of work includes the following:

-  Software assessment (optional task) to determine the most appropriate PMP software for City.
-  Collect pavement condition data as per ASTM D6433 on the entire street network.
-  Perform rigorous QC for data control and delivery.
-  Review current procedures for pavement maintenance, available resources, historical expenditure levels and the desired service level of the street network.
-  Recommend and update unit costs and maintenance treatments based on City policies.
-  Recommend and perform multiple funding scenarios.
-  Develop a seven-year maintenance plan.
-  Link the PMP database to a GIS shapefile.

Project Approach and Methodology

NCE has formed a project team consisting of pavement engineers and certified technicians that have the skills and local knowledge necessary to deliver on this project. The NCE team has developed a scope of work with detailed tasks that will accomplish the City's goals of developing a well thought out pavement management program that will address the City's long-term maintenance and operation needs.

Lines of Communication and Responsive Project Management

NCE's project managers have an unfailing commitment to client service which has earned them a well-deserved reputation for meeting project milestones and deliverables within budgets. Our project managers consistently manage their teams to successful, timely conclusions on projects through proven NCE management techniques and tools, highlighted by effective communication. NCE's approach to project management is geared toward providing rapid, high quality, cost effective project execution. There is a four-step process:



Without downplaying the importance of all the tools and processes available for project management, the single most important tool for successful project management is clear, consistent and cooperative communication. As project manager, Ms. Senn's prime responsibility is to communicate and create conversation on the purpose, plans and progress of the project. Her 17 years of experience on projects primarily in California, has involved delivering numerous similar pavement management projects. Ms. Senn has created excellent working relationships with the public works entities throughout the local area and statewide. She will serve as the single point-of-contact for the project and will make certain that project deliverables and milestones are achieved.

Budget

NCE has an established centralized computerized cost accounting system that accurately tracks specific job costs. Real-time project reporting capabilities will allow Ms. Senn to quickly get the information she needs any time, from any device. NCE's cost control and invoicing system are well suited to tracking costs, preparing invoices in styles and formats consistent with the City's requirements, and providing all necessary backup in a complete and easy to follow package.

Managing Subconsultants

Managing the subconsultant contracting process and performance needs to be as structured as other aspects of project management. Just as the City looks to NCE as the overall responsible party for the contract with them, NCE will be diligent with its teaming partner to be sure their performance is going to enhance the overall project results and meet the goals and expectations of the City. NCE requires a quality assurance/quality control (QA/QC) program plan from each teaming partner. NCE will make sure the scope of services in marker geospatial, llc's subconsultant

Project Understanding, Approach and Methodology Summary

contract is clearly written with identified deliverables and milestones and the division of work and responsibilities is clearly defined to eliminate confusion, duplication, and gaps in the project work.

Standardization/Quality Control

The NCE team holds quality of utmost importance – not just because of the City and other clients' requirements, but because it is vital to our continued professional and commercial viability. NCE's Quality Assurance Management Program (QAMP) reduces production costs and ensures quality deliverables. NCE's QAMP is based on four principles: **client satisfaction, employee participation, problem prevention, and continuous quality improvement**. The QAMP includes detailed review of engineering specifications, drawings and calculations, engineering letters, reports, and design documents prior to submittal to the client as well as providing meticulous record keeping and high standards of field documentation. The goal of NCE's QAMP is to infuse quality throughout the entire project, and that goal is shared by every NCE staff member.

Scope of Work

The proposed tasks below describe NCE's approach to successfully complete the scope of work. Since the duration of the contract is for three years, but OCTA certification only occurs every other year, not all tasks will occur every year.

Task 1 – Kickoff & Progress Meetings

NCE will first meet with City staff to kick-off the project and review and discuss the technical approach (covering both field and office work) and any administrative matters as may be necessary. At a minimum, items to be discussed will include the following:

- ☐ Scope of work, project schedule, budget and invoicing requirements
- ☐ Points of contacts
- ☐ Field work
 - Scheduling and access requirements for field work
 - Public safety concerns, requirements and procedures
 - Quality Control Plan (QCP)
- ☐ Maintenance and rehabilitation (M&R) practices, records and costs
- ☐ Paving or maintenance budgets
- ☐ GIS shapefiles
- ☐ Other issues as appropriate

During this meeting NCE will need to obtain the most recent copies of the City's PAVER™ database and GIS shapefiles. Prior to the kickoff meeting, NCE will prepare a detailed agenda which will be sent to City staff for review prior to the meeting. Examples of the questions we anticipate discussing include:

- ☐ New streets that need to be added.
- ☐ Functional classifications, e.g., do they match FHWA classifications? And if not, should they be changed?
- ☐ Are there any MPAH streets included in the National Highway System (NHS)? If so, they will need to comply with the MAP-21 performance measures.

In addition to the kick-off meeting, NCE will schedule additional meetings with City staff at appropriate milestones to review the work performed, inspection progress, and to address any questions or issues that arise. NCE is also available upon request of the City's staff to assist with preparing materials and presentations for City Council meetings or any public meetings.

Finally, NCE will schedule at least one meeting in the years when no surveys are required (e.g., 2018) to discuss any items regarding the pavement management system. An example may be modifications to OCTA's submittal requirements, or programming additional transportation funds if SB1/AB1 passes at the Legislature this year.

Deliverables:

- ☐ Kick-off/Progress meeting agenda and meeting summaries
- ☐ Draft QA/QC Plan



Task 2 – Software Needs Assessment (Optional)

Given that the City is assessing different software needs, NCE recommends a task to perform a software needs assessment. This is particularly important if the City wants to link the PMS database to a GIS or desires a seven zone improvement program. Not all PMP software can perform this task seamlessly.



We have previously conducted this software assessment with other cities such as Anaheim, Santa Monica, Thousand Oaks, and Santa Barbara. There are more than twenty different software programs readily available, and the typical criteria we will use in this assessment include:



- ❏ Cost of software and future upgrades
- ❏ Ease of operation
- ❏ Security and access issues
- ❏ Technical support availability – online, phone, or on-site
- ❏ User support meetings including training for city staff
- ❏ Inventory data collected, e.g., geometric, surface types, functional classifications, cul-de-sacs, geographical or political boundaries, digital images or files associated with street
- ❏ Condition data collected, e.g., pavement distress, IRI, drainage, etc.
- ❏ Integration with other transportation assets, e.g., sidewalks, curbs and gutters, storm drains, signs, etc.
- ❏ Maintenance and rehabilitation (M&R) strategies including sustainable pavement policies
- ❏ Historical data, e.g., construction, M&R, condition data
- ❏ Pavement performance curves – are they appropriate for the City?
- ❏ Remaining service life
- ❏ Funding analyses – different funding scenarios (“what if” analyses), committed projects, packaging projects, zone type analysis
- ❏ Other data needs, e.g., pavement structural sections, traffic
- ❏ Linkage to GIS maps and ability to create exhibits for presentations and City Council
- ❏ Ability to create custom reports/export to other programs

Typically, there is no one perfect software program that will meet all the City’s needs. However, through a process where the different criteria are weighted, NCE will assist the City in making tradeoff decisions and arrive at a software program that will best meet the City’s needs. The table below is an excerpt from a recent assessment performed with the City of Santa Monica.

Software Attributes / Features	MicroPAVER	StreetSaver	Cartegraph
General			
Vendor	U. of Illinois / APWA	MTC	CarteGraph
Current Version	7	9	8.2 (Pavement View)
Online Version available?	No	Yes	No
Annual Cost	\$1100 (discount available to APWA members)	\$1,500	\$5000+ \$1400 annual maintenance
User's meetings	None	2/year (Northern & Southern CA)	3~5/ year Usually Iowa
Technical Support	List serv/email/phone	Online/phone/email	Online/phone/email
Budget related			
Analysis period (yrs)	5-20	5-30	5-30
Constrained budgets	Yes	Yes	Yes
"What-if" scenarios	Yes	Yes	Yes
\$ to maintain PCI	Yes	Available in 2011	Iterative procedure
Packaging of projects	No	Yes	Yes
Committed projects	No	Yes	Yes
Backlog/Deferred costs	Yes	Yes	Yes
Stop-gap costs	Yes	Yes	No

If a software conversion is desired, this process will include the review and verification of street names, begin locations, end locations, functional classifications, surface type, number of lanes, and designations for MPAH or National Highway System (NHS) streets. With the new MAP-21 performance measures, the City may wish to begin to track NHS streets. NCE staff will work closely with City staff during this conversion. This is also a good time to re-segment any streets or add any newly annexed streets and NCE will review the current data with the City prior to entering it into the new database.

Deliverables:

- Selected PMP Software
- Converted PMS database (if software other than PAVER™ is selected)

Task 3 – Update Maintenance & Rehabilitation History

NCE will work with City staff to update and enter maintenance and rehabilitation (M&R) treatments performed since 2015 for both the MPAH and the Local network into the PAVER™ database. These historical records must include the following information:

- Road name
- Beginning and ending limits of work
- Type of treatment
- Date of treatment
- Cost of treatment (optional)

Populating the PAVER™ database with recent historical data is extremely useful for determining future treatments and predicting performance of the various pavement sections. This includes overlays, reconstructions and any surface seals. This task will be performed every other year.

Deliverables:

- PAVER™ database with M&R work history
- M&R work history report

Task 4 – Pavement Condition Surveys

Next, NCE will perform pavement condition surveys on the City's arterial and collector network and 1/3 of the residential streets in FY 2017/18 (approximately 150 centerline miles). Like many Southern California communities, the City has a pavement network that is subjected to high traffic volumes and heavy loads from the surrounding area. The distresses present are reflective of the traffic levels, as well as the local environment and climate. Common distresses include alligator cracking, rutting, distortions, patches and utility cuts, as well as weathering and raveling.

We have seen considerable advancements in technology over the last ten years. The assessment of pavement condition has seen a transformation from more labor intensive manual efforts to high-speed automated surveys that combine the use of roadway sensors and digital imagery. Our team is well positioned to collect,



measure and map all pavement condition data using a sophisticated automated approach using LiDAR. Our goal is to provide accurate, repeatable and economical pavement condition assessments.

Our mobile data collection equipment and team are capable of collecting (only the first bullet will be collected in this project):

- ✓ Pavement Surface Distress (ASTM D6433)
- ✓ Pavement Profiling (Roughness / Rutting / Macrotexture)
- ✓ Positioning Spatial GPS & Linear Referencing
- ✓ 360 Right-of-way digital Imagery and 3D LiDAR Point Cloud Data
- ✓ Mobile Collection Roadway / Roadside Asset Inventories
- ✓ Sign/Pavement Marking Reflectivity
- ✓ Roadway Cross Slope / Grade and Curvature



ROADWAY COLLECTION VEHICLE SYSTEM OVERVIEW

During our roadway inspections, pavement profiling (ride quality, rutting, macrotexture), GPS, and surface distress data can be collected continuously and seamlessly by our pavement technician team using our automated data collection vehicle which makes available a wide range of survey technologies. Our pavement distress data collection process involves the use of 3D digital imaging technology along with customized, integrated keyboards, Laser and LiDAR scanning which are all used by to collect the type, severity, extent, start and stop points of all the ASTM Standard D 6433 -11 or StreetSaver® pavement surface distresses.

NCE is an OCTA certified firm with inspectors that have successfully passed a rigorous field test. NCE has over 20 years of experience utilizing and training staff on both the PAVER™ and StreetSaver® programs.

NCE will be responsible for providing all equipment necessary to perform this task. Should City personnel wish to observe NCE's crews during the surveys, we will be more than happy to accommodate them.

Note that this scope of work and condition surveys do not address issues including, but not limited to traffic, safety and road hazards, geometric issues, road shoulders, sidewalks, curb and gutters, drainage issues or short term maintenance that should be performed.

In addition, NCE will identify any exceptions to the database during the field work. This may include examples such as different spellings on street names, renamed streets, changes to the widths from widening projects, etc. All changes will be identified and summarized in an exceptions report for the City's approval before any changes are made to the database.

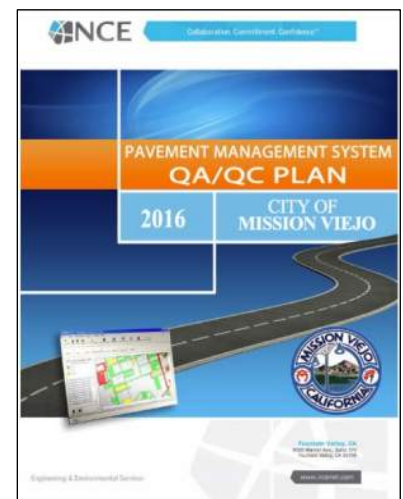
Data Entry and PCI Calculations

All data collected from the condition surveys will then be downloaded into the PAVER™ database. This task will be performed at NCE's office in order to provide Quality Control. NCE will perform the pavement condition index (PCI) calculations, and correct any errors found.

Quality Control Plan

Quality control/quality assurance checks are critical when a large amount of data needs to be collected, processed and incorporated into PAVER™. NCE incorporates a stringent QA/QC component into all of its projects. For this project, we have proposed the inclusion of a QA/QC Manager, Ms. Margot Yapp, as noted on the Project Organization chart. She will have the following project responsibilities:

- Calibration of all data collection activities
- Review of field activities, including spot checks on the field crews
- Review of field procedures and making changes as needed



- ❏ Comparison of the field data collected with on-site conditions
- ❏ Review of all data entry functions, including random spot checks
- ❏ Review of reports generated and analyses performed to ensure a quality product

NCE has developed and currently conducts the on-going StreetSaver® and PAVER™ training workshops for OCTA, which includes computer and field distress training. OCTA's guidelines require the submittal of a QC/QA plan by each local agency. The purpose of the QC/QA plan is to ensure that procedures used to collect distress data comply with OCTA's and the City's procedures, guidelines, and standards and results in the delivery of a quality data product. The QC/QA plan provides for corrective actions when deficiencies are encountered. NCE will prepare a QC Plan that will include the following components:

- ❏ Description of condition survey procedures (distress types, severities). Documentation of procedures, changes and/or modifications for consistency with future updates. In particular, documentation of unique situations is important.
- ❏ Data collection procedures.
- ❏ Level of accuracy required for data collection or acceptability criteria. Typical examples include accurate identification of distress types 95% of the time or 90% of re-inspected sections must be within ± 10 PCI points.
- ❏ Description of agency requirements and data entry guidelines, by agency, e.g., 5% re-inspections.
- ❏ Data submittal schedule.
- ❏ Experience of inspectors including past training on condition surveys or calibration procedures.
- ❏ Field data collection safety procedures.

A draft quality control plan will be submitted to the City for approval during the kickoff meeting, and no field work will commence until a final plan has been accepted.

Any findings that may compromise data integrity and consistency will be discussed and corrected. Examples of this include differences in survey methods from the last update (e.g., changing from windshield to walking surveys), collecting additional distress types and unique situations that may not lend themselves to existing condition survey procedures (e.g., gap-graded mixes, edge cracking with unpaved shoulders).

This task will be performed every other year.

Deliverables:

- ❏ Final QC/QA Plan
- ❏ Exceptions report and list of corrections made to the database
- ❏ PCI report in Excel format (electronic)
- ❏ Updated PAVER™ database

Task 5 – Budgetary Analysis

Maintenance and Rehabilitation Strategies

NCE will first review maintenance and rehabilitation (M&R) strategies with City staff. This will include the recommendation and selection of appropriate treatments such as cape seals or overlays, and the determination of treatment unit costs. This will also be an appropriate time to review the use of new/sustainable treatments or materials, such as rubberized asphalt, rubberized chip or cape seals, microsurfacing, rejuvenators, cold-in-place recycling, full depth reclamation, warm mix asphalt, etc.

NCE's experience in pavement engineering and design, as well as local conditions, allows our staff to be able to provide the City with solutions that are innovative, sustainable, practical, and workable. **For example, we**



recently worked with Chula Vista to develop strategies for implementing “cool pavements”.

The development of a M&R decision tree is a critical step in any pavement management update as it has a direct and significant impact on the final work plan that is developed, as well as the budgeting sequence and ultimate consequences.

The M&R alternatives are used to determine effective treatments for each street section based upon criteria such as condition, pavement type, and functional class. Once these M&R alternatives are defined, a treatment unit cost will be determined for each alternative. These alternatives and costs will then be entered into the PMP database for budgetary analyses.

NCE’s experience in pavement engineering and design, as well as local conditions, allows our staff to provide the City with solutions that are practical and workable. The M&R alternatives are used to determine effective treatments for each street section based upon criteria such as condition, pavement type, and functional class. Once these M&R alternatives are defined, a treatment unit cost is determined for each alternative and the alternatives and costs are then be entered into the PMP database for budgetary analyses.

The unit costs will have a huge impact on the City’s projections or needs assessments. Therefore, NCE will review any recent bid tabs, together with those from neighboring cities as appropriate. Also, unit prices will be fully-loaded rates, and will include not just contractors’ prices, but also design, inspection and testing costs.

Budgetary Analyses

NCE will next perform a **Budget Needs** analysis using an analysis period to be determined by the City (assumed to be seven years per the RFP, although this can be as long as 30 years). This will identify M&R requirements for each road section and determines the total maintenance and rehabilitation requirements over the entire analysis period. The Needs Analysis identifies road sections that need treatment and applies the M&R decision tree to each section. The costs are then summed for the entire period. This forms the basis for performing Budget Scenario evaluations, which optimize the street sections for repair under constrained budgets.

In simple terms, the Budget Needs analysis answers the questions:

“If unlimited funding is available for street maintenance and repair,
which streets should the City fix?” “When should the City fix them?”
“What treatments should the City apply?”
“How much will it cost?”

The **Budget Scenarios** evaluation prioritizes sections for repair under constrained, realistic, budgetary assumptions.

This module answers the question:

“If the City has only limited funds for street maintenance and repair, which
streets have the highest priority for repairs, when should the City perform
the repairs, and how much will it cost?”

Multiple budget or target-driven scenarios will be performed after discussion with City staff. Examples of typical scenarios include:

- Impacts of existing funding levels
- Impacts to model drops in funding, e.g., the gas tax is expected to drop in FY 2016/17
- Impacts if there are increases in funding levels, e.g., sales taxes, legislative proposals (SB1/AB1)

- ❏ Funding required to maintain certain PCI levels (as per OCTA requirements)

NCE will then prepare a final report that summarizes the overall condition of the City's pavement network, the M&R strategies used by the City, the results of budgetary analyses, and different budget scenarios and recommendations on the recommended scenario with selected road sections for maintenance and rehabilitation. In addition to the City's requirements, this report will meet OCTA's Measure M2 requirements, as outlined by the **OCTA M2 "Checklist"**.

The OCTA checklist is a new item for the City to include, as OCTA incorporated the checklist into its 2016 requirements. In particular, determining the percentage of total network in each of the five condition categories based in centerline miles will be an important addition to the PMP element from the OCTA Checklist.

This task will be performed every other year.

Deliverables:

- ❏ Updated M&R strategies and decision tree
- ❏ Results of budget needs and scenarios
- ❏ Seven-year rehabilitation program

Task 6 – Final Report & OCTA Submittals

Upon completion of the budget analysis phase of this project, NCE will prepare a draft report for the City's review. This report will cover all items as set forth by the OCTA PMP Guidelines, such as:

- ❏ Executive Summary
- ❏ Methodology of work performed
- ❏ Changes in overall condition of street network
- ❏ Updated list of streets (MPAH and Local) with their respective PCI's
- ❏ Results of budget scenarios
- ❏ QC Plan
- ❏ Certification for PMP update

NCE has programmed into the schedule a two week review time for the City. The final report will address the City's comments. This task will be performed every other year.

Deliverable:

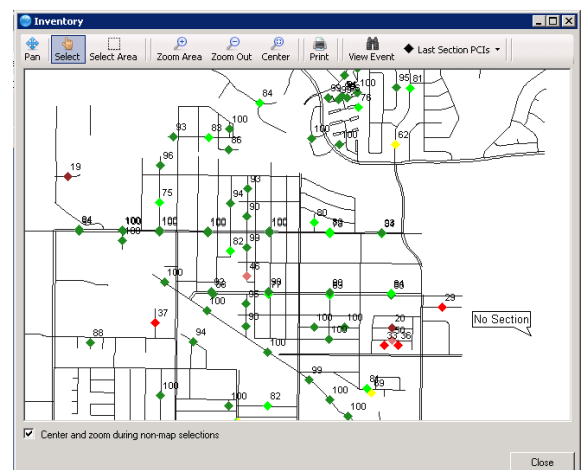
- ❏ Draft Report (electronic format)
- ❏ Final Report included all OCTA required materials (3 hard copies)
- ❏ Two copies of the digital files mentioned in previous deliverable

Task 7 – GIS Linkage (Optional)

The GIS linkage consists of matching segments in the basemap based on road name, type and/or direction. In the PAVER™ software, the GIS Settings Screen is used to create the link between database and the basemap. The ShapeFile ID, Street Name, Street Type and StreetDir fields are selected from the available fields within the basemap. It is assumed that the City's GIS shapefiles will be provided for the linkage.

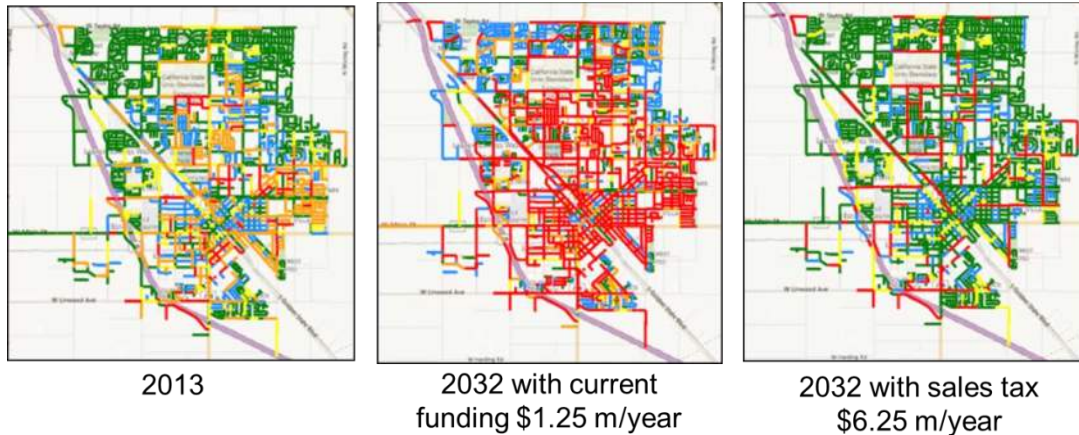
Built-in queries are available with the toolbox to generate maps or export to shape files. Standard Queries include:

- ❏ PCI Range by street section
- ❏ Future PCI by street section
- ❏ Functional classification



- ❏ Maintenance treatment history
- ❏ Impacts of different budget scenarios
- ❏ Sections selected for treatment

Once linked, powerful maps can be generated within minutes, as shown in the example below:



Using the City's most recent GIS database, NCE will compare and verify street information. This will be an appropriate time to verify that all street information is accurate and valid. NCE will compare the following for accuracy:

- ❏ Street names and extensions (i.e., St, Av, Rd or Cir)
- ❏ Lengths
- ❏ Functional classifications
- ❏ National Highway System (NHS) designations
- ❏ Surface type
- ❏ Number of lanes

Ideally this work will occur prior and during the condition surveys. Any discrepancies found will be consolidated and sent to the City with a recommendation for correction.

Deliverable:

- ❏ GIS shapefile linked to PMP database



Project Schedule

Schedule

The table below is NCE's proposed work schedule illustrating the work can be completed within 12 weeks after receipt of the Notice to Proceed.

Task Description	Weeks from NTP											
	1	2	3	4	5	6	7	8	9	10	11	12
1. Kickoff & Progress Meetings	X				X				X			
3. Update Maintenance & Rehabilitation History												
4. Pavement Condition Surveys												
5. Budgetary Analysis												
6. Final Report & OCTA Submittal												
<i>Draft Report</i>												
<i>City Review</i>												
<i>Final Report</i>												
Optional Tasks												
2. Software Needs Assessment												
7. GIS Linking												

Assumptions:

NTP = Notice to Proceed

Task 6 includes 2 weeks for City review and comment.



Firm Experience

NCE is a client-focused engineering, science, planning, and construction services firm with five offices in California and Nevada and over 90 employees. **Unique from other civil engineering firms, we specialize in pavement technology, including pavement management, design and research.** Founded in 1990, NCE has focused on developing repeat clients by providing high value services. Our clients continuously work with NCE staff because of our collaborative style of working on projects, our commitment to making sure the project is a success, and the confidence they have in our ability to complete the project to their satisfaction.



Our firm has been in business for over 26 years and during this time, we have performed pavement condition surveys ranging from state highways in 12 states to local street networks in over 200 cities and counties in California, Oregon, Nevada, Washington and Idaho. We have surveyed over 80,000 miles of pavements.

Firm Capabilities

The City of Garden Grove (City) can expect superior customer service and high value work products tailored to this specific project. NCE's civil engineers and technicians have extensive experience in collecting pavement distress data, analysis and design as well as developing plans, specifications, construction cost estimates, and providing construction management for infrastructure projects. It is the fundamental goal of NCE to produce high quality work products while maintaining a reputation for timely service.



More than 85% of NCE's revenues come from City and County governments. NCE's innovative thinking goes beyond accurate technical solutions and builds client confidence through the delivery of successful projects. NCE provides the following core capabilities and services to its clients. **The capabilities in bold are directly relevant to this project.**










NCE CAPABILITIES	
Asset/Pavement Management	Geotechnical Engineering
Pavement Testing, Analysis & Design	Sustainable Design & Low Impact Development (LID)
Civil Engineering Design	Construction Documents (PS&E)
GIS & Database Management	Construction Management / Inspection
Pavement Rehabilitation and Sustainability	Utility Relocation Design
Bike & Pedestrian Path Design	Hydrology & Hydraulic Analysis
ADA Retrofit Design	Stakeholder Facilitation/Public Outreach
Sanitary Sewer Design	Water, Wastewater and Recycled Water Facility Design
Environmental Studies	Water Quality/Erosion Control Systems
Stormwater Management	Water System Modeling & Design
Watershed Planning and Wetland Delineation	Hazardous Materials Assessments
Regulatory Compliance & Permitting	Leadership in Energy & Environmental Design (LEED)

Pavement Management

NCE has an extensive background providing Pavement Management Program (PMP) services and is proficient with most pavement management programs currently in use. These software systems include:

-  PAVER™
-  StreetSaver®
-  Cartegraph

We are active in over 10 pavement related (including pavement and asset management) committees at the Transportation Research Board, a national research organization. Some of the relevant ones include:

-  Pavement Management Systems (AFD10)
-  Pavement Preservation (AHD18)
-  Pavement Condition Evaluation (AFD20)
-  Long-Term Pavement Performance (E1002A)
-  Pavement Materials and the Urban Climate (AF000 2)
-  Design and Rehabilitation of Asphalt Pavements (AFD60)
-  Design and Rehabilitation of Concrete Pavements (AFD50)
-  Flexible Pavement Design (A2B03A)
-  NCHRP Project Panel on Handbook for Pavement Design, Construction, and Management (DO146)

With NCE's prior experience with hundreds of other cities on pavement management systems, as well as pavement designs, NCE will deliver accurate, reliable, consistent pavement data which may then be used by the City to develop the pavement management strategies and make future funding decisions.

As an indicator of our experience and the quality of our work, NCE received MTC's award for **"Best Pavement Management Consultant"**. With our vast experience delivering PMP projects throughout California, we are very familiar with all aspects of a PMP, including:

- Pavement management software evaluation
- Database development
- Establishing pavement inventories
- Pavement data collection
- Rigorous QC/QA procedures
- Funding (or "what-if") analyses
- GIS links to PMP and development of user interfaces
- Training (both field and computer operations)
- Providing technical support
- Presentations to elected officials, advisory boards and agency staff



NCE has assembled a team of highly experienced individuals who have implemented PMP throughout California and the West Coast. We are committed to providing our clients continuity in staff and quality in service. Our staff benefits from continuous training in the latest versions of software, design and construction techniques. We not only frequently participate in such training, but also instruct others throughout the engineering community. The City of Garden Grove can count on our team to provide superior, responsive service on this project. Any changes to the team shall be submitted to the City for review and approval prior to any change.

NCE's staff has used both the StreetSaver® and PAVER™ software since 1987. Our engineers and technicians have also undergone training on both software programs. We have developed and conducted training for numerous cities and counties (both field and computer training) on both programs as well as for OCTA.

OCTA Methodology Experience

NCE developed and wrote OCTA's "Countywide Pavement Management Program - Guidelines Manual" which was adopted by the Board in May 2010. Ms. Yapp was the Project Manager and worked with both OCTA staff and the Technical Advisory Committee in the development of the guidelines.

In addition, since adoption of the guidelines, NCE has performed similar projects and successfully prepared submittals to OCTA for other cities such as Mission Viejo, Fullerton, Stanton, Seal Beach, Buena Park, Dana Point, Laguna Niguel, Lake Forest, San Clemente and Orange County.

As such, NCE is intimately familiar with the guidelines and the submittal requirements for member jurisdictions such as the City. Additionally, **NCE's proposed field inspectors are all OCTA prequalified** to perform condition assessments per ASTM D6433 standard protocols. This certification program includes a rigorous field test where approximately twenty sites are selected to test the inspector's knowledge of the distress procedures. Only those inspectors who have passed the exam may perform pavement condition surveys.

NCE is OCTA prequalified and we have a solid familiarity and working knowledge of PAVER™ and StreetSaver®. We have also trained hundreds of city and county staff on both software programs for over 20 years. Therefore, we offer the City a depth of knowledge and skills working with the program and utilizing the data to apply and recommend new pavement technologies for design and rehabilitation.

Pavement Design & Analysis

Pavement designs, plans, specifications and estimates (PS&E) for preventive maintenance, rehabilitation, and reconstruction are NCE's specialty and we offer extensive experience and expertise with pavement treatment alternatives. We have designed hundreds of roads throughout California and Nevada and have most recently performed these services for the Cities of Thousand Oaks, Camarillo, Santa Clarita, San Ramon, Mountain View, Berkeley, Davis, San Bruno, San Mateo, Pleasant Hill, Moraga, Orinda, Richmond, Fairfield and Santa Cruz.

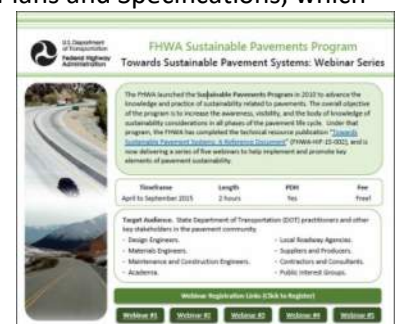
Our expertise in pavement treatment alternatives includes, but is not limited to, cost saving, cutting edge, and green/sustainable paving technologies such as warm mix asphalt and in-place recycling technologies. NCE's pavement design services emphasize realistic economic solutions and pavement design procedures tailored to our client's needs.

Our civil and geotechnical engineers not only understand the types of pavements and treatment options, they also understand the significance and cost implications of proper roadway support on competent subgrade soils to limit future settlement and cracking. Pavement design begins with an accurate assessment of the existing structural adequacy. Unlike traditional civil firms who rely on core samples, we employ our pavement inspection expertise in conjunction with deflection data and materials testing to more accurately assess the engineering properties of the existing roadway.

NCE has comprehensive knowledge of both the Greenbook and the Caltrans Standard Plans and Specifications, which are most commonly referenced throughout California cities.

Sustainable and Innovative Pavement Technologies

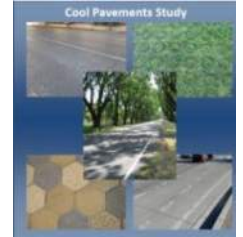
There are numerous pavement rehabilitation techniques available today with new binders, new additives and polymers all of which may be applied in various layers to preserve pavement life. NCE constantly seeks to identify the most cost-efficient alternatives for cities and counties such as cold-in-place recycling, full depth reclamation, warm mix asphalt, terminal blend asphalt rubber binders, etc. **Many of the technologies NCE can implement will meet potential City sustainability or**



environmental goals and policies. Some examples are described in the following paragraphs.

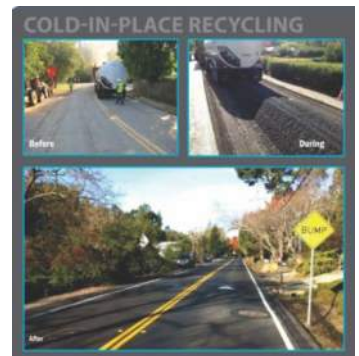
Sustainable Pavements – NCE is involved with projects at both the national and local levels on issues such as sustainable pavements and premature failures. For example, Dr. Tom Van Dam is NCE's Principal Investigator for the FHWA on Sustainable Pavement Systems. Dr. Van Dam has developed technical guidelines and a webinar series; he is an internal resource for NCE when addressing sustainability for any of our projects.

Cool Pavements – NCE prepared a report to discuss cool pavement alternatives for the City of Chula Vista as a means of mitigating the urban heat island impact. This included the use of pavement alternatives such as porous or permeable pavements, pavers, concrete pavements, use of light colored aggregates, etc.



Composite Pavements – NCE worked for the Strategic Highway Research Program (SHRP2 R21) to develop best practice standards for AC/PCC composite pavements nationwide. This project resulted in the development of best practices in construction, specifications, and quality management procedures for these pavements. NCE is currently teaching a series of workshops for State Highway Agencies (SHA) nationwide to help them implement key best practices for Composite Pavements. While this work was funded and aimed at SHAs, the fundamental concepts of Composite Pavements and the best ways to implement them can be translated to cities as well.

Cold-In-Place Recycling (CIR) – A cost-effective alternative to traditional “mill and fill” pavement treatments, CIR can yield cost savings of as much as 30% by the use of existing asphalt concrete (AC) materials, which produces less truck hauling and better time efficiency during construction. The technology involves milling of existing AC (asphalt concrete), pulverizing and processing to a specified material size, adding emulsion, mixing, and then placing and compacting it onto the roadway. A thin AC overlay is typically placed as a smooth wearing course.



Full Depth Reclamation (FDR) – is a process that reconstructs failed AC pavements by recycling the existing roadway materials; old AC and aggregate base materials are pulverized and “mined” utilizing specialized equipment. The FDR method recycles the materials in-situ, and can offer significant cost savings over conventional roadway reconstruction techniques. It is generally cost effective for areas as little as 25,000 sf.



Subconsultant

NCE's team includes **märker geospatial, llc**, a firm that has provided pavement and asset management solutions specifically to the municipal government market for over 25 years. They have implemented numerous industry-leading technologies in order to successfully collect, process, and deliver accurate up-to-date pavement conditions along with other various public works roadway and roadside infrastructure assets for government agencies across the country.

märker owns and operates a fleet of right-of-way data collection equipment and utilize proven technologies to successfully complete pavement data collection and asset management projects.

Roadway Collection Vehicle System

märker's Roadway Collection Vehicle System is comprised of many sub-components that provide automated, real time roadway results such as: inspection survey distances, longitudinal roughness, transverse pavement profiles, wheel track rutting depths, as well as incorporating our global positioning (GPS) system, roadway reflectivity, and innovative 3D 360° imagery LiDAR mobile mapping solutions. The pavement distress data collection process involves the use of 3D digital imaging



technology and integrated distress laser pavement roadway scanners which are all used to collect the type, severity, extent, start and stop points of the ASTM D6433-11 pavement surface distresses.

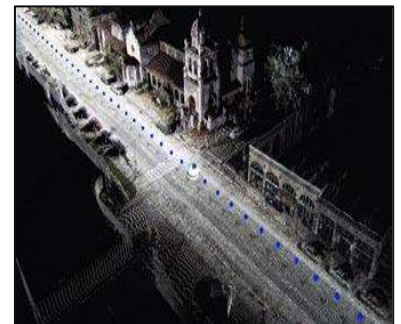
Unlike other consultants using similar technologies, we have OCTA prequalified technicians in the survey vehicle to identify and confirm all of the pavement distress data (in real time) using on-board surface distress recording subsystem. These specially designed touch screen data entry devices are integrated with the vehicle's GPS and allows the inspector to further accurately quantify the severity and extent along with the GPS beginning and end point locations of every pavement distress that is present on the City's roadways.

Since the distress data is collected by a combination of qualified inspectors and automated pavement profiling equipment, there is no extensive off-site processing required. Most firms outsource the distress recognition analysis to technicians in an office that may be outside the United States. However, märker can assure the City that all their equipment used and all results produced from this project will be "all American".

märker inspects 100% full width "curb-to-curb" pavement survey coverage; not just sample inspection information provided from downward image scanning devices taken only in a specific travel lane. They are one of the few consultants to provide 100% pavement inspection area coverage "curb-to-curb", which provides the most complete and accurate pavement inspection data possible.

All required pavement condition data for this assignment will be timestamped with a GPS location and reported (typically) at 100 ft. intervals and associated and referenced to the appropriate pavement section. GPS and linear referencing specifications include:

- ✓ High definition mobile 3D mapping
- ✓ Dual frequency GPS (GNSS) tracking
- ✓ High accuracy 6-Axis IMU integration
- ✓ Odometry & precise pin point positioning from on-board vehicle
- ✓ Positional data is synchronized with all other collected data sets
- ✓ Integrated DMI and Inertial Measurement Unit (IMU) increase accuracy of data
- ✓ Accurately time-stamping and geo-referencing inventory data



In summary, märker's mobile data collection equipment and team are capable of collecting and assessing:

- ✓ Pavement Surface Distress as per ASTM D6433-11
- ✓ Pavement Profiling (Roughness/Rutting/Macrotexture)
- ✓ Positioning Spatial GPS & Linear Referencing
- ✓ Surface Friction Skid Testing, Structural Capacity (FWD) and Structural Inventory (GPR) Surveys
- ✓ 360° Right-of-way digital imagery and 3D LiDAR Point Cloud Data
- ✓ Mobile Collection ~ Other Roadway/Roadside Asset Inventory / Condition Assessments
 - ⇒ Such as: traffic signs, traffic signals, streetlights, sidewalks and curbs, street furniture, pavement markings, guardrails, bike paths and trails, and trees in the public right of way
- ✓ ADA Ramp Compliance and Sign/Pavement Marking Reflectivity
- ✓ Roadway Safety ~ Roadway Cross Slope/Grade, and Curvature

Digital Pavement Scanning System

This subcomponent uses lasers, high resolution cameras, and advanced optics to acquire high resolution profiles to create detailed 2D and 3D models of the road surface. This data is acquired and compressed in real time in the vehicle collection system to minimize onboard storage needs. We can process and analyze the data immediately to automatically detect a number of pavement defects including, cracks, lane markings, wheel track rutting, potholes, distortions, spalling, macrotexture (MPD), patches, raveling, and faulting.



Roughness Profile Survey

Pavement smoothness is a key factor in determining roadway user satisfaction. To adequately represent drivers' opinions of roadway conditions, we use a laser road profiling device to measure pavement roughness (or ride quality).

This laser sub-system is housed in the bumper of their collection vehicle and contains mounted lasers used for measuring heights to the road surface for the purpose of calculating road profile measurements. The lasers are positioned over wheel paths and provide high quality infrared height sensors. This laser module sends an infrared beam to the pavement and samples the height value at a rate of 16,000 times per second and these samples will be averaged and referenced to time, GPS, and distance so that it may be aligned with the accelerometer data to provide longitudinal profile and roughness indices.

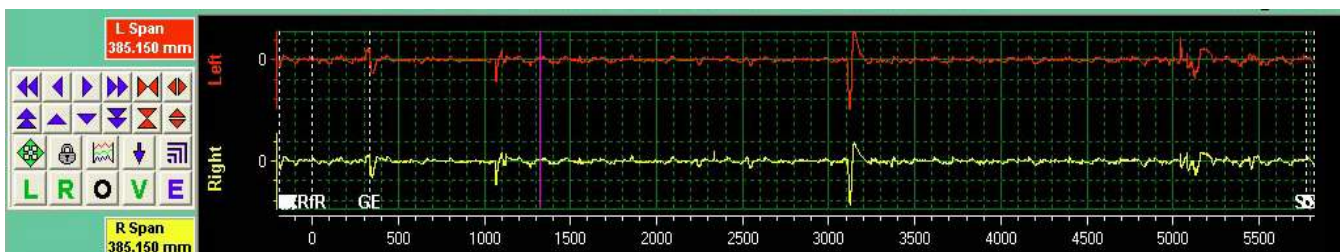


märker geospatial's laser roadway profiling device meets the Class 1 ASTM E 950-98 and AASHTO PP 51 designation for measuring the longitudinal profile of traveled surfaces. The results of our Class 1 laser precision profilers produce the International Roughness Index (IRI).

Rutting and Transverse Profiles

märker's laser measuring subsystem is also capable of rut depth measurements for both traveled wheel track ruts simultaneously while operating at posted speeds. The accuracy of märker's system provides +/- 1 mm depths, similar to manual measurements accuracies using ASTM procedures with a straight edge device.

Average rut depths will be reported for left wheel path, right wheel path, and a combined average over the length of the pavement segment. A minimum of a 3-laser sensor rut bar will be used for this assignment. The results are triggered by the longitudinal distance traveled, independent of longitudinal speed and measured. A sample screen shot of the Wheel Rut View application is shown below.



Demonstrated Record of Success

NCE has delivered hundreds of PMS projects similar to the City's project. Our best indicator of our success is our history of repeat clients and their testimonies of our work. Below are a few testimonials from our clients. In addition, the subsequent Project Experience section of our proposal includes detailed project descriptions which serve as our references as well.

"We are very happy with the final product and look forward to the kick-off meeting for Year 3. The extensive work put in by NCE . . . is much appreciated."

– Steven R. Clayton, Pavement Management Supervisor | County of Orange

"For several years, NCE has conducted the biennial surveys of our streets in Buena Park. They have analyzed our data and produced the certification reports for the Orange County Transportation Authority (OCTA). They have demonstrated an extensive knowledge of Pavement Management Systems and a keen understanding of our organization's needs."

NCE has provided excellent services and value, and always willing to do whatever it takes to get the job done on time and within budget. We are extremely pleased with the services and continue to request NCE technical support and there is always someone available to help us work through any issue."

- Jim Biery, P.E., Retired Director of Public Works, City of Buena Park, CA

"Our Department in conjunction with the League of Cities, California State Association of Counties, County Engineers Association of California, California Regional Transportation planning Agencies and the Rural Counties Task Force hired NCE to complete a statewide local streets and roads needs assessment study ... We are very pleased with the outcome. Ms. Yapp demonstrated her knowledge and skills of the subject matter as well as her ability to manage her team in delivering the project tasks on schedule and within budget ... Ms. Yapp and her team performed very well on this project. We would not hesitate to utilize NCE again in the future."

- Greg Kelley, P.E., Assistant Deputy Director of Public Works, County of Los Angeles

"NCE has worked diligently with the City in this area to develop work schedules that smoothed the peaks and valleys from a budgetary standpoint. The end result has been that the City's Pavement Condition Index is improving without any long term increase in the cost of achieving this."

- Dan Wall, Director, City of San Marino

"The City has been very satisfied with the work done by NCE staff. Their work has been of high professional quality and we have been satisfied with the accuracy of their work. I have been impressed with Margot Yapp's knowledge of the subject of pavement management and preservation."

– Elizabeth Chopp, Senior Civil Engineer, City of Chula Vista

"Since 1999 City of Corona has awarded annual contracts to NCE to update the street database and provide an updated five year program map. In addition, NCE prepared an Executive Summary and held a few workshops for City of Corona staff and policy makers."

"NCE provided exceptional service to City of Corona and worked with staff to implement and provide an effective program to maintain city streets...The City of Corona's staff is pleased with NCE services and continue to utilize their technical support in the future. The schedule is always met and there is always someone available to help us work through any issue."

– Reza Zolghadr, Senior Civil Engineer - City of Corona

Project Experience

NCE staff are certified by OCTA to perform pavement condition surveys and have worked together for many years delivering projects to OCTA clients. Our proposed Project Manager, Ms. Lisa Senn has recently worked on the following PMP updates as per OCTA guidelines within the last five years. She is highly familiar with OCTA reporting requirements and budgeting directives and has thought workshops for OCTA for many years. Some of her Orange County clients include:

- Anaheim
- Orange County
- Buena Park
- Mission Viejo
- Fullerton
- La Habra

Local Clients

Some of our local clients include the following:

Orange County	Centerline Miles	Los Angeles County	Centerline Miles
Anaheim	577.8	Burbank	280.2
Buena Park	191.3	Carson	253
Dana Point	95.1	Commerce	67
Fullerton	67	Corona	400
La Habra	115	Diamond Bar	146.6
Laguna Niguel	141.5	Manhattan Beach	120
Lake Forest	194.7	Redondo Beach	126
Mission Viejo	228.2	San Dimas	122.5
Orange	324.1	San Gabriel	189
Orange County	378.9	San Marino	62
San Clemente	140	Santa Monica	155
Seal Beach	41.1	Torrance	15
Stanton	45.1	West Covina	245
Tustin	96	Whittier	210

Program Management System Updates (2009 - 2020)

Orange County, CA

The County and its contracted cities have a road network of approximately **674 centerline miles** or approximately 3,604 pavement sections. The County road network consists of approximately 378.4 centerline miles, **Dana Point** has approximately 93.5 centerline miles and **Lake Forest** has approximately 192.2 centerline miles.

NCE's scope of work consists of:

- Converting the PAVERTM databases to StreetSaver® in 2016
- Verifying all road inventory, i.e., lengths, widths and locations.
- Surveying all roads using ASTM D6433-11 protocols.
- Updating the maintenance history
- Developing maintenance strategies and updating the decision tree
- Performing multiple budget scenarios
- Linking the database to a GIS shapefile
- Developing a seven-year work plan
- Preparing reports for OCTA certification

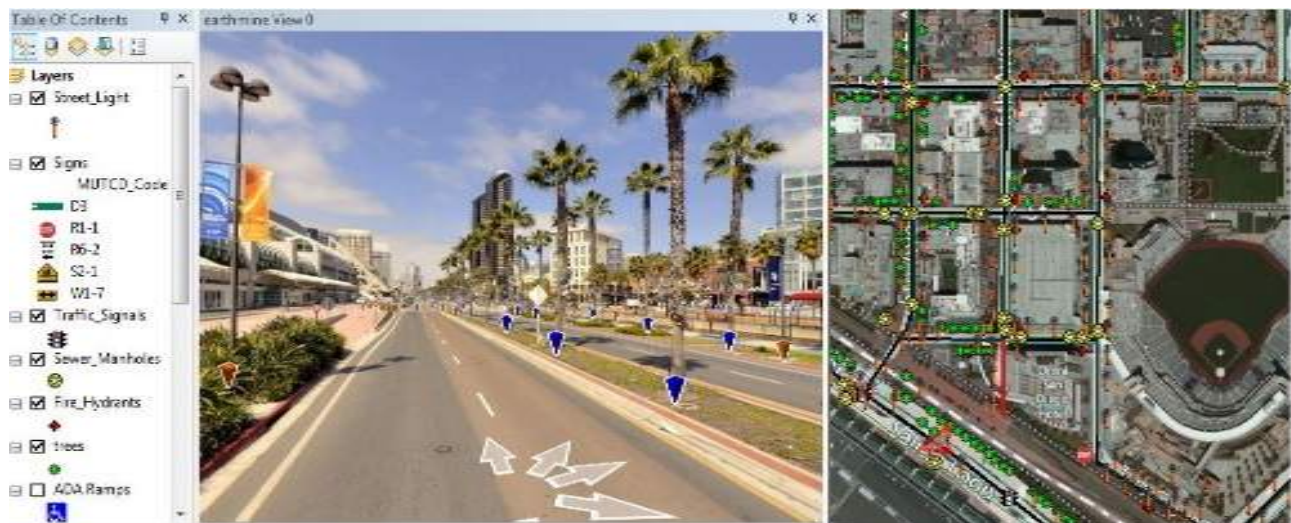
Reference

County of Orange, Public Works/OC
Construction
Vinh Tran
Sr. Civil Engineer
Tel: 714.955.0210

Project Team

Margot Yapp, PE
Lisa K. Senn
Ken Huisman
Narut Leehacharoenkul, EIT
Franc Escobedo

Concurrent with the pavement condition survey, mobile data collection units gathered high-resolution 360 degree geo-referenced right-of-way street level digital imagery along with 3D point cloud data. This mobile mapping system gives the ability to visualize, measure, edit, and validate infrastructure assets (such as pavements, markings, lanes, surface areas, shoulders, signs, and drainage features) with a high level of accuracy.



“Thank you to you and your team for all your efforts in providing the County of Orange with the Year 2 deliverables. Due to the difficulties encountered with the large number of assets within the County, this was quite a task. We are very happy with the final product and look forward to the kickoff meeting for Year 3. The extensive work put in by NCE and Cartegraph is much appreciated.”

Steven R. Clayton, Pavement Management Supervisor, County of Orange

Orange County Transportation Authority (OCTA) – Various PMS Studies

Orange County, CA

NCE has worked with OCTA since 1997 on various projects related to pavement management systems. There are over 6,500 centerline miles of paved streets and roads in Orange County, which serves a population of almost 3 million. In 1990, voters approved a ½ cent sales tax measure for transportation improvements. This measure was subsequently renewed in 2007 and is expected to sunset in 2041. In order for the 35 Cities/County to be eligible for Measure M funds, OCTA required them to implement and maintain a pavement management system to select projects for rehabilitation. Over the past 12 years, NCE has worked with OCTA to provide guidelines and recommendations on how this may be accomplished.

Countywide Assessment of Existing & Future Pavement Needs – In 2006, NCE completed a study to assess the existing and future pavement conditions of the roadways operated and maintained by the 34 cities in Orange County and the County of Orange over the next twenty years. The overall goal of the study was to determine the pavement condition deficiencies as well as to quantify the investment needed to bring the deficiencies to various levels of improvement. The project required collecting PMS data from local agencies, normalizing the pavement condition ratings, normalizing the maintenance and rehabilitation (M&R) strategies with associated unit costs, and normalizing the “trigger points” requiring a specific M&R strategy.

The completed study defined current status of pavement conditions within Orange County; quantified current pavement maintenance backlog in monetary terms; forecasted costs of improving current pavement maintenance backlog condition; and forecasted countywide “shortfalls” based upon a the data from a countywide revenue survey.

This information was used to determine if any shortfalls would exist if Measure M were to sunset in 2011. The study showed that a significant shortfall would exist if this were to occur, thus assisting OCTA in making the case for a renewal of Measure M to the voters.

Countywide Pavement Management Program Guidelines – In 2010, NCE assisted OCTA in developing countywide guidelines for the pavement management program. This is to ensure consistent data collection procedures for all 35 jurisdictions so that funding allocations may be made on an “apples to apples” comparison.

A survey by NCE showed that there were variations in the data collection process, e.g., agencies employed different survey methods, such as windshield surveys or walking surveys or semi-automated surveys, or combinations thereof. Other elements that NCE will review include:

- Variations in data collection processes
- QC/QA procedures for data collection
- Trigger levels or thresholds for pavement maintenance and rehabilitation
- Prioritization techniques
- Costs of maintenance
- Performance prediction models

PAVER™ & StreetSaver® Training Workshops (2011-2015) – NCE developed and conducted the training workshops for PAVER™ on both pavement distress and software training for OCTA between November 2011 and February 2016. Generally, the two-day training workshops in the fall are focused on pavement distress data collection as per ASTM D6433-11; the spring workshops are focused on the PAVER™ software and report submittals for OCTA, respectively. In 2016, OCTA added StreetSaver® to the workshop.

Reference

Orange County Transportation
Agency
Harry Thomas
Project Manager
Tel: 714.560.5617

Project Team

Margot Yapp, PE
Lisa K. Senn
Shahram Misaghi, PE

Over 100 city and county personnel have been trained to ensure that they were familiar with the PAVER™ software as well as OCTA's requirements for the countywide pavement management program. The feedback from ALL respondents indicated that the workshop was "good/excellent".

"Our experience with NCE has been very good. They were extremely responsive and professional. We have found them to be very knowledgeable and experienced in the field of Pavement Management. They have completed the projects on time and within budget...The analysis and recommendations presented in their reports have really helped demonstrate...the need for additional pavement maintenance and rehabilitation funding and the need for commonality and comparability of pavement management systems used by Orange County cities"

Harry W. Thomas, P.E., Orange County Transportation Authority

Pavement Management Plan Update (2017)

Anaheim, CA

NCE updated the City of Anaheim's PMP in compliance with OCTA's Measure M requirements in 2014 and is currently performing the 2017 update. The street network consists of approximately 584 centerline miles of pavement including 155 miles of Arterial Highway System (AHS) and 429 centerline miles of Local Street System (LSS).



Reference

City of Anaheim
Cesar Carrillo
Principal Civil Engineer
Tel: 714.765.5175

Project Team

Margot Yapp, PE
Lisa K. Senn
Narut Leehacharoenkul, EIT
Franc Escobedo
Ken Huisman - marker geospatial

NCE's scope of services for 2017 include the following tasks:

- Performing distress/condition surveys as per the most current version of ASTM D6433. Surveys will be conducted using automated vehicles.
- Collecting both ride quality (International Roughness Index) and digital images of the pavements.
- Implementing a rigorous QC plan for data control and delivery.
- Updating the maintenance and rehabilitation (M&R) history since 2015.
- Creating shapefiles and KML files with the pavement condition information.
- Performing funding scenarios:
 - Maintain current PCI: AHS PCI of 73 and LSS PCI of 69 (based on 2015 results)
 - Maintain the current backlog of streets i.e. PCI<40 or 12% (whichever is lower)
 - Target 7-year network average AHS PCI of 75 and PCI 71 for LSS with no more than a 12% backlog
 - Target 7-year network average AHS PCI of 75 and PCI 71 for LSS with backlog below 12 %
- Perform Budget Scenarios per OCTA guidelines (these are different from preceding scenarios and are required).
- Prepare all reports and submittals to OCTA.

PMS Implementation (1997 - 2016)

Mission Viejo, CA

NCE implemented the City's PMS in 1997 and has performed updates every two years since then (with the most recent update completed in 2016). The City has approximately 178 centerline miles of local and collector streets and 52 miles of arterial highways (approximately 1,082 pavement sections). All of the City's streets were surveyed and a database was created to store the pavement inventory and pavement



condition data. Pavement maintenance and rehabilitation historical records for the past 10 years were also entered into the database.

As part of the project, the maintenance and rehabilitation (M&R) decision tree was updated with new treatments and unit costs re-evaluated prior to performing any budgetary analyses. In addition, the City's projected 20-year pavement budget was analyzed and a seven-year work plan prepared. Numerous custom reports were prepared for the City, and finally, an executive summary was submitted to OCTA for the Measure M2 program. Specifically, the following tasks were performed:

- Condition surveys
- Calculated a Pavement Condition Index (PCI)
- Updated maintenance & rehabilitation (M&R) strategies and life cycle costs
- Determined the budget needs of the road network
- Provided input for Grant Applications
- Prepared seven year Capital Improvement Program
- Prepared submittal to OCTA for Measure M program
- Presentation to City staff
- Technical assistance as needed

Reference

City of Mission Viejo
Joe Ames, PE
Assistant City Engineer
Tel: 949.470.8419

Project Team

Lisa K. Senn
Margot Yapp, PE
Narut Leehacharoenkul, EIT
Marvin Mann
Franc Escobedo

Pavement Management Program Update (2009 - 2017)

Stanton, CA

NCE was selected by the City to perform a pavement management program update in 2009. Since then, the City has renewed NCE's contract every 2 years for PMP updates to stay in compliance with the OCTA Guidelines. As part of the updates, NCE has performed the following tasks:



- A peer review of the 2007 report
- Field verify the pavement inventory as necessary
- Perform distress/condition surveys on the entire pavement network.
- Calculate pavement condition indices (PCI) for each street section as well as citywide.
- Perform budgetary analyses including two funding scenarios
- Develop a multi-year maintenance and repair work plan.
- Prepared final report included in submittal to OCTA.

Reference

City of Stanton
Allen Rigg, PE AICP
Public Works Director /
City Engineer
Tel: 714.890.4203

Project Team

Lisa K. Senn
Margot Yapp, PE
Narut Leehacharoenkul, EIT
Franc Escobedo

Peer Review and Pavement Management Update

Buena Park, CA

In 2008, NCE provided a peer review of the City's PAVER™ pavement management data collection procedures. This was accomplished by surveying a representative portion of the network and comparing NCE's distress findings with those collected by the City. Any anomalies and/or discrepancies were noted in a technical memorandum provided to the City. NCE also provided the City with training for the PAVER™ program.



Since then, NCE has updated the City's pavement management program to bring the City into compliance with OCTA's Measure M2 requirements. This includes pavement condition surveys of approximately 190 centerline miles of streets, quality control checks, reclassification of the MPAH streets, PCI calculations and performing the budgetary analysis to prepare the reports required by OCTA.

Reference

City of Buena Park
Mr. David Jacobs
Director of Public Works
Tel: 714.562.3679

Project Team

Margot Yapp, PE
Lisa K. Senn
Franc Escobedo

"For several years, NCE has conducted the biennial surveys of our streets in Buena Park. They have analyzed our data and produced the certification reports for the Orange County Transportation Authority (OCTA). They have demonstrated an extensive knowledge of Pavement Management Systems and a keen understanding of our organization's needs.

NCE has provided excellent services and value, and is always willing to do whatever it takes to get the job done on time and within budget. We are extremely pleased with the services and continue to request NCE technical support and there is always someone available to help us work through any issue."

- Jim Biery, PE, Former Director Public Works, City of Buena Park

Pavement Management Plan Update (2016)

Laguna Niguel, CA

NCE was selected by the City for a four year contract to perform its pavement management program update in 2016, a project very similar to this one. The scope of work included performing walking surveys on the Master Plan Arterial Highway (MPAH) street sections. This was needed in order to fulfill the requirements of OCTA's Measure2 guidelines. As part of the update, NCE performed the following:



- Conducted a peer review of the 2013 report;
- Field verified the pavement inventory;
- Performed distress/condition surveys on the MPAH pavement network as per ASTM D6433 protocols;
- Calculated pavement condition indexes (PCI) for each street section as well as citywide;
- Performed budgetary analyses including three funding scenarios;
- Developed a seven-year maintenance and repair work plan; and
- Prepared final report and submitted to OCTA.

Reference

City of Laguna Niguel
Frank Borges
Senior Civil Engineer
Tel: 949.362.4325

Project Team

Lisa K. Senn
Margot Yapp, PE
Narut Leehacharoenkul, EIT
Franc Escobedo

Pavement Management Implementation, GIS Linkage, and System Update (2005-2015)

Chula Vista, CA

In 2005, NCE implemented the City's PMP (converted from a custom PMP to StreetSaver®) and GIS linkage then performed updates in 2009, 2011, 2014 and 2016. The City's street network consists of 443 centerline miles. NCE provided PMP software selection recommendations, created the pavement database, performed condition surveys and PCI



calculations, identified maintenance and rehabilitation historical data, provided budgetary analyses and final reports, and developed customized GIS interface links to the City's enterprise-wide GIS. NCE also provided presentations to City Council and provided training and technical support to the City's staff.

In 2012, NCE performed a Cool Pavement Study as part of the investigation into innovative energy efficient opportunities. Traditional asphalt pavements produce dark impervious surfaces that easily absorb and retain heat from solar radiation resulting in higher temperatures. NCE's study provided the City with a qualitative assessment that rated the UHI impact for selected cool pavement technologies and a two-tiered implementation plan for incorporating cool pavement technologies on future pavement projects.

Reference

City of Chula Vista
Elizabeth Chopp
Sr. Civil Engineer
Tel: 619.691.5046

Project Team

Lisa K. Senn
Margot Yapp, PE
Narut Leehacharoenkul, EIT
Franc Escobedo
Marvin Mann

"The City has been very satisfied with the work done by NCE staff. Their work has been of high professional quality and we have been satisfied with the accuracy of their work. I have been impressed with Margot Yapp's knowledge of the subject of pavement management and preservation."

Elizabeth Chopp, City of Chula Vista

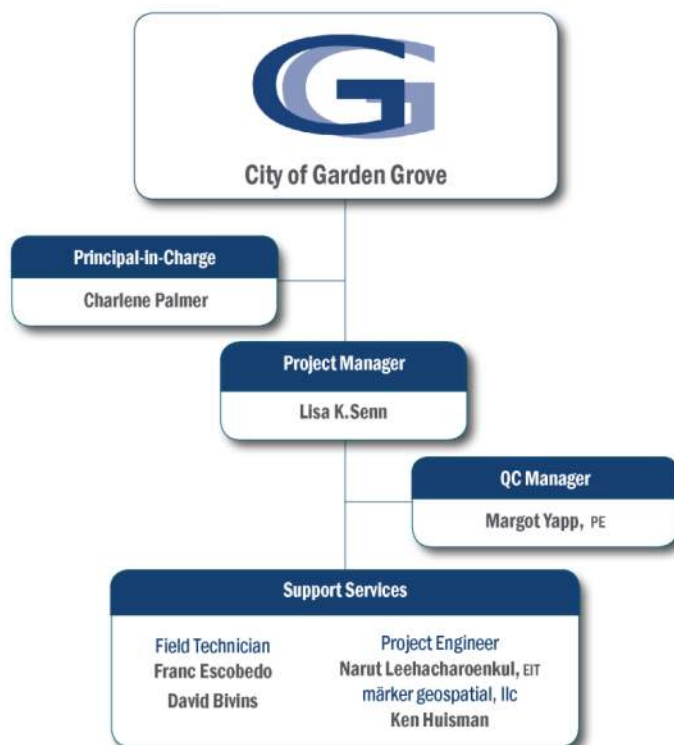


Key Personnel and Organizational Chart

Project Team

NCE has assembled a seasoned team well-versed in collecting pavement condition data for either the PAVER™ or StreetSaver® pavement management programs (PMP). Staff biographies below highlight our team's experience and detailed two page resumes are included at the end of the proposal per the RFP.

Our organizational chart below details the roles and responsibilities of the team



Lisa Senn is NCE's proposed Project Manager for this project. Ms. Senn has more than 17 years' experience completing pavement engineering and transportation projects. She has managed many PMP projects and has been involved in every aspect of PMP implementations and updates including collecting field data, performing condition surveys, and calculating analyses to report preparation, and result presentations to decision makers, project management, and quality control.

Ms. Senn has provided PMP training to over 200 city and county engineers and technicians in California including the **Cities of Anaheim, Buena Park, Dana Point, Lake Forest, La Habra, Manhattan Beach, Santa Monica, San Gabriel, Torrance, and Whittier** in addition to the **Counties of Orange, Santa Barbara, Ventura, and San Luis Obispo**. Ms. Senn is also responsible for developing and delivering the pavement management field and computer training for OCTA.

Margot Yapp, PE is NCE's proposed QC Manager for this project. Ms. Yapp has over 27 years of experience in implementing and updating pavement management programs. Her experience includes numerous turnkey implementations and updates of pavement management programs for cities, counties and airports throughout California, Oregon, Nevada, Idaho, Hawaii and Texas. She has worked with both the PAVER™ and StreetSaver® software since 1987 and implemented pavement management programs for over 100 cities and counties in California.

She has managed numerous PMP projects and has been involved in every aspect of PMP implementations and updates from collecting field data, performing condition surveys, calculating analyses, report preparation, and result

Key Personnel and Organizational Chart

presentations to decision makers, project management, and quality control. **Her recent experience includes similar PMP projects for Anaheim, Orange County, Buena Park, Whittier, Mission Viejo, Corona, Stanton, Orange and La Habra.** She is the Project Manager for the California Statewide Needs Assessment, and will bring a wealth of knowledge and expertise on statewide funding issues, as well as providing a perspective from a policy level on transportation issues at the State Legislature.

Charlene Palmer is NCE's proposed Principal-in-Charge for this project. Ms. Palmer brings 35 years of extensive experience in the engineering consulting industry for services covering a broad base of engineering disciplines to a project. Her consulting experience includes the transportation, civil, rail / transit, infrastructure, water resources, environmental, materials testing and inspection, and geotechnical engineering arenas. She has won and directed projects with services varying from feasibility studies through design support during construction and construction management and inspection services.

Narut Leehacharoenkul, EIT is NCE's proposed Project Engineer. He has been involved in multiple pavement management projects using both PAVER™ and StreetSaver®. He is fully versed in pavement condition surveys, and performing funding analysis. **He is certified by both the MTC and the OCTA inspector certification testing programs.** In addition, he has been involved with developing transportation asset inventories using digital imagery from Earthmine and populating geodatabases with ArcMap and ArcGIS Online. Mr. Leehacharoenkul's PMP experience includes the Cities of Anaheim, Stanton, Seal Beach, Fullerton, Lake Forest, Dana Point, Corona, Diamond Bar, San Gabriel, Torrance, and West Covina as well as Orange County.

Franc Escobedo proposed Senior Field Technician, has over 15 years of experience as a pavement management technician for NCE. He has performed numerous pavement condition surveys throughout California, Idaho and Washington and has collected distress data for various Pavement Management Systems, including StreetSaver®, PAVER™ and Cartegraph. He has collected data for the Cities of Manhattan Beach, Santa Monica, Anaheim, La Habra, Buena Park, Stanton, Commerce, San Dimas, Torrance, and West Covina, and the Counties of Orange, Ventura and San Diego. **Mr. Escobedo is certified by both the MTC and the OCTA inspector certification testing programs.** Both of these agencies require companies and inspectors to pass a rigorous field test in order to work in their respective jurisdictions. He also assists with the training of agency staff.

David Bivins is NCE's proposed Senior Field Technician. Mr. David Bivins has over 17 years of experience as a pavement management technician. He is one of NCE's most experienced distress collectors and our primary choice for working with/training our clients in field data collection activities. His field experience and expertise is an added benefit to agencies during field training. **Mr. Bivins by both the MTC and the OCTA inspector certification testing programs,** which require inspectors to pass a rigorous field test in order to work in their respective jurisdictions. He has performed condition surveys of over 15,000 centerline miles in California, Washington, Idaho and Nevada. He has not only attended yearly in-house training, but has assisted in training local agencies on distress identification and collection procedures.

Ken Huisman, märker geospatial's proposed Field Manager, will coordinate and be responsible for all facets of the automated survey field work, including crew coordination, survey scheduling, quality components, and the timely delivery of all project fieldwork collection deliverables. His responsibilities include the development of QA/QC procedures and the tools used to validate the quality control criteria, as well as organizing all the data collection aspects of the project.

Ken brings more than 25 years of experience in the infrastructure management consulting business and provides all aspects of the infrastructure management business to more than 100 clients. He will be märker geospatial's primary field contact for this project and will personally monitor the staff, project progress and data completeness. He will have authority to make key decisions on the project with respect to the field equipment and coordination, and any other important field issues related to safety and data quality.

Resumes

Resumes for the NCE team are included as Appendix A for the City's review.



Appendix A - Resumes

The subsequent pages contain the NCE team's resumes for the City's review.



Lisa K. Senn
Project Manager

Education

A.A., Business Administration, 2000 Cuesta College

Registrations/Certifications

OCTA PAVER™ Certification, 2018

PAVER™ Level 1 & 2, 2015

Affiliations

American Public Works Association

Lisa Senn had a job in music when she agreed to help a friend's company with requests for information. This evolved into preparing inspections for field crews, and after a firm principal saw she had a knack for the work, he taught her about deflection testing and coring. The more Lisa learned, the more she wanted to know, and her career in pavement management and transportation began.

Lisa's experience includes managing projects and overseeing field surveys and quality control procedures for cities and counties throughout California. A natural teacher, Lisa trains engineers, technicians, agencies and municipalities on various aspects of pavement management, software, and field distress. A member of MTC's software development team, she has helped beta test new StreetSaver® modules and enhancements.

Finding comfort in knowing that what she does benefits others, Lisa enjoys working with and learning about agencies. Honest and hardworking, she considers historical knowledge gained on past projects, yet stays up-to-date on developments in the ever-evolving area of pavement management.

PROFESSIONAL EXPERIENCE

Pavement Evaluation Services

Lisa has managed numerous pavement evaluation projects that include using deflection testing to measure a pavement's structural properties by applying a load on the pavement and measuring the resulting deflection. In connection with deflection testing, coring is completed to measure existing pavement thicknesses to determine pavement structural capacity. Used in conjunction with deflection testing and visual observations of current cracking conditions and roadside draining, core testing provides the necessary data to provide sound repair or maintenance recommendations.

Pavement Management

For Pavement Management System updates and implementation, Lisa is responsible for the analysis and quality control of pavement distress data, updating maintenance and rehabilitation decision trees and the treatment unit costs, and the development of budget scenarios and summary reports. She has developed the cost-effective maintenance treatments and strategies, prepared custom multiple-year detailed street maintenance plans and budget option reports, and linked GIS maps with management sections in the client's PMS database. She is also an advanced user of both the PAVER™ and StreetSaver® pavement management software. Her clients include the following California cities and counties:

■ Anaheim	■ Lake Forest	(County)	■ San Clemente	■ Stanton
■ Calistoga	■ Lompoc	■ Petaluma	■ Santa Barbara	■ Thousand Oaks
■ Camarillo	■ Los Gatos	■ Pittsburg	(City)	■ Torrance
■ Chula Vista	■ Milpitas	■ Rocklin	■ Santa Barbara	■ Ventura
■ Commerce	■ Mission Viejo	■ San Carlos	(County)	(County)
■ Corona	■ Napa	■ San Diego	■ Santa Clarita	■ Whittier
■ El Centro	■ Oakley	(County)	■ Santa Maria	■ Woodland
■ Fullerton	■ Orange (City)	■ San Gabriel	■ Sonoma	
■ La Habra	■ Orange	■ San Ramon	(County)	

I have had the pleasure of working with Lisa for many years . . . She was instrumental in facilitating the County's migration from PAVER™ to StreetSaver® in 2011, and she continues to be an integral part of our Pavement Management Team . . . Lisa demonstrated extensive knowledge of Pavement Management Systems, and a keen understanding of our organization's needs and goals. . . . Lisa has vast and intricate knowledge of the StreetSaver Program, . . .

Scott D. McGolpin, Director, County of Santa Barbara Public Works Department

Pavement Management Program Update - Mission Viejo, CA | Project Manager

The City has approximately 178 centerline miles of local and collector streets and 52 miles of arterial highways (approximately 1,082 pavement sections). Ms. Senn has managed a number of the recent biennial updates for the City. Surveys were performed with either ‘walking surveys’ or ‘windshield surveys’ and the PAVER™ database was updated with the pavement condition data. Pavement maintenance and rehabilitation historical records for the past 2 years were also entered into the database. As part of the project, the Maintenance and Rehabilitation (M&R) decision tree was updated with new treatments and unit costs re-evaluated prior to performing any budgetary analyses. In addition, the City’s projected 20-year pavement budget was analyzed and a 7-year workplan prepared. Numerous custom reports were prepared for the City, and finally, an executive summary was submitted to OCTA for the Measure M2 program.

Pavement Management Program Updates & StreetSaver® Conversion - Corona, CA | Project Manager

Lisa managed the City’s annual PMS updates, which included pavement condition surveys and budgetary analyses. In 2012 and 2013, she assisted the City as they converted from PAVER™ to StreetSaver®. This included a review of current functional classifications, generating a list of roads needing surveys prior to conversion and helping to define information migrated. She collaborated with City’s GIS department to obtain a current shapefile for GIS integration for StreetSaver®. She also trained with City staff on the use of StreetSaver®, including database entry and how to generate GIS Maps.

Pavement and Asset Management Program - County of Orange, CA | Project Manager

For the current 3-year contract with the County of Orange and its contract Cities of Lake Forest and Dana Point (over 600 miles), Lisa is responsible for quality control of collected pavement distress data, updating maintenance and rehabilitation decision trees and the treatment unit costs, and the development of budget scenarios and summary reports. She works closely with Cartegraph who is contracted data collection for roads and non-pavement asset collection. Lisa works with County and City staff to determine unit costs, applicable treatments for the seven-year budgeting scenarios and development of the respective street sections slated for rehabilitation over the next seven years.

Pavement Management Program Update - Fullerton, CA | Project Manager

The City’s biennial pavement management condition surveys and budget analyses includes the City’s entire pavement network of more than 290 centerline

miles. Lisa updated the preventative maintenance and rehabilitation strategies and treatment unit costs to more accurately reflect the effects of different multiple-year budgets on the pavement network’s condition and the backlog of work. She also coordinated the migration of the City’s GIS shapefiles to PAVER™ in order to provide a visual linkage to sections in the City’s pavement network.

Training

Training and Technical Support - Santa Barbara County, CA | Project Manager

Project Manager. Since 2003, Lisa has assisted the County to define the yearly rotation of roads to be surveyed, managed the survey crews, data entry technicians and QA procedures. She assisted with the data gathering for the yearly “Road Book”, which encompassed the yearly maintenance and rehabilitation projects. In 2010, Lisa assisted the County with a software conversion from PAVER™ to StreetSaver®. This included a review of current functional classifications, generating a list of roads needing surveys prior to conversion and helping to define information migrated. Lisa collaborated with the County’s GIS department to obtain a current shapefile for GIS integration for StreetSaver®.

Asset Management

Lisa has managed the collection of data related to sidewalk, curb and gutter, tree root damage, ADA ramps, cross slopes of street segments, trip fall hazards, culverts, storm drains and catch basins. In addition, the data she has collected includes a variety of storm drain features, such as manholes, catch basins, streams and curb inlets, and determining their physical characteristics and connection to other nearby storm drain elements. These projects included evaluating thousands of feet of concrete and identifying, quantifying and recording the data spatially to incorporate them on maps for future reference.

Roadway Pavement Distress Evaluations - Orange County, CA | Project Manager

In 2012, the County of Orange contracted with NCE to update the PMS databases using semi-automated distress collection and catalogue non-pavement assets. The mobile data collection units gathered high-resolution 360° geo-referenced right-of-way street level digital imagery along with 3D point cloud data. The mobile mapping system provided the ability to visualize, measure, edit, and validate infrastructure assets (such as pavements, markings, lanes, surface areas, shoulders, signs, and drainage features) with a high level of accuracy. The assets collected included curb and gutter, sidewalk, signalizations, signs, striping, drop-inlets and manhole covers. ArcMAP 10.2 was used to ‘drop’ points to the various layers of the agencies shapefiles.

Appendix A - Resumes



Margot Yapp, PE
QC Manager

Education

B.S., Forest Engineering, 1985
B.S., Civil Engineering, 1985
M.S., Civil Engineering, 1987
Oregon State University, Corvallis
MPP Public Policy, 2005
University of California, Berkeley

Registrations and Certifications

Professional Engineer - Civil, CA #45027
Professional Engineer - Civil, OR #15129

Affiliations

American Society of Civil Engineers
American Public Works Association
TRB Subcommittee A2B01 - Local
Agency Pavement Management

"Margot Yapp has been the project manager of our last four projects with NCE. Margot has made sure the projects run smoothly and efficiently. Her project management and people skills have been great assets to the projects. She has conducted meetings and provided training for local agency staff and is always very thorough and does a great job of making things easily understood for all involved."

Nephele S. Barrett, Senior Planner, Mendocino Council of Governments

"NCE, through Ms. Yapp's leadership, has built a very good reputation implementing pavement management systems for local agencies throughout the west coast and in the San Francisco Bay Area in particular. . . . NCE has been a pleasure to work with, Ms. Yapp and her team have helped inform and increase the value of the P-TAP program for its participant jurisdictions. The firm pays attention to customer needs and has been fast to respond to the needs of MTC and its jurisdictions."

Christina Hohorst, PTAP Manager, MTC

Ms. Margot Yapp, PE is a Principal of the firm and our proposed **Project Manager**.

Ms. Yapp has over 25 years of experience in the area of transportation engineering specializing in pavement design, asset/pavement management and research for roads, highways and airfields. She has also implemented many Pavement Management Systems for cities, counties and airports in California, Oregon, Nevada, Hawaii and Texas. She has taught workshops on pavement management systems for the National Highway Institute/Federal Highway Administration. She is also involved in the evaluation and design of airfield pavements for civilian and military airports.

She has been the Project Manager for the California Statewide Local Streets and Roads Needs Assessment since 2008 and recently completed the 2016 update. On this project, she directed the development of a website, online database and data collection from all 540 cities and counties, the development of the needs and scenario methodologies for both pavement and non-pavement assets, and the funding analysis. She was also responsible for communicating the results to a wide variety of audiences, including state legislators, elected city and county officials, Directors of Public Works, engineers and planners.

RELEVANT PROJECTS

Asset/Pavement Management Systems | Project Manager

Ms. Yapp, has worked with pavement management software since 1987. She has worked with over 100

agencies in California, Oregon, Washington, Hawaii and Nevada to implement PMP, from condition surveys to setting up budget parameters to preparing final reports to making presentations to City Councils for cities (Southern California - San Marino, Highland, San Dimas, Mission Viejo, and Torrance; and Northern California - Hayward, Alameda, Emeryville, Antioch, Daly City, Foster City, Portola Valley, Orinda, Oakland, Fremont, Albany, San Jose, San Bruno, Campbell, San Ramon, Lafayette, San Francisco, Newark, Gilroy, Fairfield, Brentwood, Benicia, El Cerrito, Richmond, Mountain View, Walnut Creek), counties (Orange, San Bernardino, San Mateo, Marin, Stanislaus, and Monterey) and federal agencies (US Forest Service, Presidio of San Francisco). **Ms. Margot Yapp, PE** is a Principal of the firm and our proposed **Project Manager**.

Ms. Yapp has over 25 years of experience in the area of transportation engineering specializing in pavement design, asset/pavement management and research for roads, highways and airfields. She has also implemented many Pavement Management Systems for cities, counties and airports in California, Oregon, Nevada, Hawaii and Texas. She has taught workshops on pavement management systems for the National Highway Institute/Federal Highway Administration. She is also involved in the evaluation and design of airfield pavements for civilian and military airports.

She has been the Project Manager for the California Statewide Local Streets and Roads Needs Assessment since 2008 and recently completed the 2016 update. On this project, she directed the development of a website

online database and data collection from all 540 cities and counties, the development of the needs and scenario methodologies for both pavement and non-pavement assets, and the funding analysis. She was also responsible for communicating the results to a wide variety of audiences, including state legislators, elected city and county officials, Directors of Public Works, engineers and planners.

RELEVANT PROJECTS

Asset/Pavement Management Systems | Project Manager

Ms. Yapp, has worked with pavement management software since 1987. She has worked with over 100 agencies in California, Oregon, Washington, Hawaii and Nevada to implement PMP, from condition surveys to setting up budget parameters to preparing final reports to making presentations to City Councils for cities (Southern California - San Marino, Highland, San Dimas, Mission Viejo, and Torrance; and Northern California – Hayward, Alameda, Emeryville, Antioch, Daly City, Foster City, Portola Valley, Orinda, Oakland, Fremont, Albany, San Jose, San Bruno, Campbell, San Ramon, Lafayette, San Francisco, Newark, Gilroy, Fairfield, Brentwood, Benicia, El Cerrito, Richmond, Mountain View, Walnut Creek), counties (Orange, San Bernardino, San Mateo, Marin, Stanislaus, and Monterey) and federal agencies (US Forest Service, Presidio of San Francisco, and Barbers Point NAS). Ms. Yapp has been involved in all aspects of PMP implementation, from collecting field data, performing condition surveys, performing analyses, preparing reports, presenting results to decision makers, and managing projects. Ms. Yapp has worked with the following PMP software: MTC's StreetSaver®, PAVER™ and Cartegraph.

Currently, she works with both regional and local agencies to use their PMP data for developed work plans and also to project long-term needs for sales tax or bond measures. She has used PMP data to develop performance prediction models, to monitor performance of projects constructed with new pavement materials such as crumb rubber, and to develop new specifications. Ms. Yapp recently prepared a long-term regional pavement needs analysis for all 34 cities in Orange County for the Orange County Transportation Authority.

Pavement Management System | Principal-in-Charge

Mission Viejo, CA

NCE implemented the City's PMS in 1997 and has performed updates biennially since then including the 2014 update. The City has approximately 178 centerline miles of local and collector streets and 52 miles of arterial highways (approximately 1,082 pavement sections). All of the City's streets were surveyed and a database was created to store the pavement inventory and pavement condition data. Pavement maintenance and

rehabilitation historical records for the past 10 years were also entered into the database. NCE continues to provide biannual services and updates to the City. (1997-Current)

Multiple Pavement Management Systems Studies | Principal-in-Charge

Orange County, CA

NCE has worked with OCTA since 1997 on various projects related to pavement management systems. There are over 6,500 centerline miles of paved streets and roads in Orange County, which serves a population of almost 3 million. In 2010, NCE assisted OCTA in developing countywide guidelines for the pavement management program. This was to ensure consistent data collection procedures for all 35 jurisdictions so that funding allocations may be made on an "apples to apples" comparison. Since 2011, NCE has developed and conducted training workshops on the PMP software as well as conducting field surveys as per ASTM D6433. To date, over 12 workshops have been delivered to all 35 local agencies in Orange County.

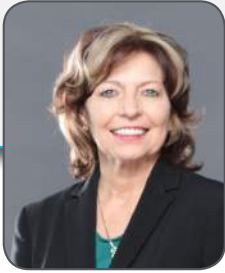
Various PMS Studies - Orange County Transportation Authority, CA

NCE has worked with OCTA since 1997 on various projects related to pavement management systems. There are over 6,500 centerline miles of paved streets and roads in Orange County, which serves a population of almost 3 million. In 2010, NCE assisted OCTA in developing countywide guidelines for the pavement management program. This was to ensure consistent data collection procedures for all 35 jurisdictions, so that funding allocations may be made on an "apples to apples" comparison. Since 2011, NCE has developed and conducted training workshops on the PMP software as well as conducted field surveys as per ASTM D6433. To date, over 12 workshops have been delivered to all 35 local agencies in Orange County.

Pavement Management Systems Update | QA/QC Manager

Seal Beach, CA

NCE was selected by the City of Seal Beach to implement a pavement management program in 2004. The City's pavement management system was converted to the PAVER™ (MicroPAVER) program in 2010 in compliance with OCTA's Measure M2 requirements. Updated its network in 2012 and 2014, the City again contracted NCE to perform distress/condition surveys on approximately 41.1 miles of roadway in accordance with ASTM D6433-11; calculation of pavement condition indices (PCI's) for each street section and the entire network; defining the maintenance and rehabilitation strategies and unit costs; budgetary analyses and develop a seven year maintenance work plan; and prepare the final report for both the City and OCTA.



Charlene Palmer, PE
Principal-in-Charge

Charlene Palmer brings 35 years of extensive experience in the engineering consulting industry for services covering a broad base of engineering disciplines to a project. Her consulting experience includes the transportation, civil, rail / transit, infrastructure, water resources, environmental, materials testing and inspection, and geotechnical engineering arenas. She has won and directed projects with services varying from feasibility studies through design support during construction and construction management and inspection services.

She has focused on the areas of business development, operations, and management within the past 25 years of her professional career. This experience includes business development, sales, and marketing activities; client relationship management; the establishment and coordination of winning pursuit teams; leading office and area operations; resource acquisition, management and cultivation; developing strategic and annual plans and their budgets; evaluating financial performance; establishing new offices and market sectors; initiating mentoring programs; project / program management and team coordination; handling and negotiating contractual elements, task orders, and agreements; writing scopes and project understanding and approaches; setting budgets and schedules; providing technical oversight; and researching and preparing technical documents, training and safety manuals, and technical reports.

Education

B.S., Civil Engineering, Ohio State University, 1981
A.A.S., Environmental Sciences, M.A.T.C., 1975

Registrations/Certifications

Professional Engineer – Civil, KY (#15269)
E-Railsafe
Roadway Worker Qualified
TSA TWIC Card Expires 3-04-2018
PBSJ: Project Management Bootcamp Certified (2010)

Affiliations

American Public Works Association
American Society of Civil Engineers (ASCE)
National Society of Professional Engineers (NSPE)
Women's Transportation Seminar, So. CA (WTS)
Order of the Engineer

PROFESSIONAL EXPERIENCE

On-Call Traffic Engineering Services | Project Manager

Mission Viejo, CA

As Project Manager and her responsibilities included: project studies, traffic studies, public presentations, plan reviews, study reviews, traffic signal design, Consultant Management, signing/stripping plan, stop sign warrants, signal warrants, resident interface, neighborhood traffic calming programs, and City Council and Planning Commission presentations.

OCTA Engineering Plan Check & Design Review for Railroad Grade Separation Projects | Technical Advisor

Orange County, CA

As part of a subconsultant team, she served as Technical Advisor for the traffic component, which included coordination with Metrolink, BNSF, UPRR, and Amtrak for the railroad grade separation project review. Stage Construction, Traffic Handling, Detour Plans, and Transportation Management Plan (TMP) reviews provided OCTA with real and relevant information necessary to understand the impacts to the local community and to direct this important project's elements to consensus between the affected agencies the railroads, and MUTCD. Standard traffic engineering practices were used to ensure that safety and constructability standards were met.

Development of Project Management Practices, Procedures, and Manual | Sr. Project Manager

Caltrans, CA

As Sr. Project Manager, Ms. Palmer was responsible for developing a project management manual of practices, procedures, and a supporting manual for DOR staff. The effort was developed with concurrence of DOR and verified and documented Caltrans DOR contract work in order to make it consistent with industry standards, government and safety statutes/regulations and financial and funding contractual requirements.

State College Boulevard Grade Separation | Project Director

Fullerton, CA

She was Project Director for this project estimated at \$65 million for construction that involves the design of a grade separation (depressing a major arterial under the BNSF facility) and related improvements on State College Boulevard. An environmental analysis was conducted to determine the extent, type and duration of any impacts. The design involves specific coordination and compliance with current OCTA, City, BNSF, Metrolink, Amtrak, and CPUC guidelines and specifications. The project includes performing traffic engineering, civil and structural design, environmental reporting, estimating, right-of-way determinations, hydraulics and drainage analysis for a pump house, railroad interactions and approvals, construction drawings and improvement plans, contract specifications, special provisions and quantity and cost estimates.



Narut Leehacharoenkul, EIT
Project Engineer

Education

B.S., Civil Engineering, 2013
University of California - Irvine

Registrations/Certifications

Engineer-In-Training - CA (#143045)

OCTA PAVER™ Certification 2017

MTC StreetSaver® Certification 2017

Affiliations

American Society of Civil Engineers

American Public Works Association

Mr. Leehacharoenkul has engineering project experience including pavement management budget analyses using both PAVER™ and StreetSaver® software, pavement condition survey QA/QC inspection, asset management using EarthMine, AutoCAD Civil 3D, ArcMap, and ArcGIS Online. Narut interned in Bangkok in the summer of 2012 assisting the field engineer document various phases of construction. Mr. Leehacharoenkul worked at the City of Stanton as an engineering intern in 2013.

PROJECT EXPERIENCE

Pavement Management Systems | Staff Engineer

Mr. Leehacharoenkul is responsible for updating the analysis and quality control of pavement distress data, updating maintenance and rehabilitation decision trees and the treatment unit costs, and the development of budget scenarios and summary reports. His clients include the following cities and counties:

- | | | |
|---------------|-------------------|------------------------|
| ■ Buena Park | ■ Highland | ■ San Marino |
| ■ Camarillo | ■ La Habra | ■ Santa Barbara County |
| ■ Carson | ■ Laguna Niguel | ■ Santa Clarita |
| ■ Commerce | ■ Lake Forest | ■ Seal Beach |
| ■ Corona | ■ Mission Viejo | ■ Stanton |
| ■ Dana Point | ■ Manhattan Beach | ■ Thousand Oaks |
| ■ Diamond Bar | ■ Orange County | ■ Torrance |
| ■ El Centro | ■ San Clemente | ■ West Covina |
| ■ Fullerton | ■ San Gabriel | |

Citywide Sidewalk Assessment | Staff Engineer

Carson, CA

NCE conducted a citywide inspection in City of Carson for tripping hazards in the public right-of-way as well as ADA-compliance of curb ramps at street intersections. Field staff performed walking surveys and took photographs along the entire public sidewalk network. Mr. Leehacharoenkul was in charge of the data collection effort, preparing a combination of “high-accuracy” and “mapping grade” data collectors. He also created a GIS system with all of the data to generate a 5-year maintenance implementation program and associated planning-level cost estimates.

Pavement Management Update | Staff Engineer

Mission Viejo, CA

The City converted from PAVER™ software to StreetSaver® software in 2014. Mr. Leehacharoenkul assisted with the conversion and verified the accuracy of the data. As part of the project, the maintenance and rehabilitation (M&R) decision tree was updated with new treatments and unit costs re-evaluated prior to performing any budgetary analyses.

In addition, the City’s projected 20-year pavement budget was analyzed and a 7-year work plan prepared. Numerous custom reports were prepared for the City, and finally, an executive summary was submitted to OCTA for compliance with the Measure M program.

Asset and Pavement Management Implementation | Staff Engineer

Orange County & Cities of Lake Forest and Dana Point, CA

Mr. Leehacharoenkul assisted in the QC for the pavement distress data collection and performed the PCI calculations as well as funding scenario analysis for these agencies.

Additionally he provided on-site training for all agencies.





Franc Escobedo
Senior Field Technician

Education

Computer Operations Program
Computer Learning Center, Los Angeles, CA, 1983-84
Network Engineering & Administrative Program
Computer Learning Center, Anaheim, CA, 1997
Certified Network Administration
Computer Learning Center, Anaheim, CA 1997

Registrations/Certifications

OCTA PAVER™ Certification 2018
MTC StreetSaver® Certification 2017

Mr. Franc Escobedo has over 15 years of experience as a pavement management technician for NCE. He has performed numerous pavement condition inspections throughout California, Idaho, and Washington. His experience includes distress collection across various Pavement Management Systems including the Metropolitan Transportation Commission StreetSaver®, PAVER™, Cartograph, and Hansen systems.

Additionally, Mr. Escobedo has completed both the OCTA PAVER™ and MTC “Distress Identification” courses for both Asphalt Concrete and Portland Cement Pavements and now assists with the training of agency staff on both courses.

Mr. Escobedo performs all activities relating to pavement data collection using hardcopy forms or tablets. As part of the quality control process, he performs cross-checks of data in the PMP database. He also regularly performs quality control checks of field collected data and pavement maintenance history to ensure that PMP databases are accurate and up-to-date. During this process, he also generates detailed reports, which are necessary to perform his cross-checks of the collected data.

His field experience and expertise is an added benefit to agencies during field training. Listed below are a collection of agencies for which Mr. Escobedo has performed condition inspections, all together they easily account for over 6,000 centerline miles of roads and streets.

PROJECT EXPERIENCE

Pavement Management Surveys | Engineering Field Technician

- | | | | |
|-----------------------------------|-------------------------------|---------------------|--------------------------|
| ■ Ada County, Idaho | ■ Hayward | ■ San Dimas | ■ Tulare |
| ■ Agoura Hills | ■ Hillsborough | ■ San Ramon | ■ Tuolumne County |
| ■ Anaheim | ■ Humboldt County | ■ Santa Cruz County | ■ Tustin |
| ■ Antioch | ■ Inyo County | ■ Santa Maria | ■ Umpqua National Forest |
| ■ Bakersfield | ■ La Habra | ■ Seal Beach | ■ Vallejo |
| ■ Bell | ■ Lake County | ■ Siskiyou County | ■ Vernon |
| ■ Buena Park | ■ Lake Forest | ■ South Lake Tahoe | ■ Vista |
| ■ Camarillo | ■ Lemon Grove | ■ Stanislaus County | ■ Walnut Creek |
| ■ Chula Vista | ■ Marin County | ■ Stanton | ■ West Covina |
| ■ Commerce | ■ Martinez | ■ Thousand Oaks | ■ West Sacramento |
| ■ Corona | ■ Mendocino County | ■ Torrance | |
| ■ Cudahy | ■ Milpitas | | |
| ■ Dana Point | ■ Mission Viejo | | |
| ■ Davis | ■ Mono County | | |
| ■ East Bay Regional Park District | ■ Mountain View | | |
| ■ El Centro | ■ Newark | | |
| ■ El Cerrito | ■ Orange County | | |
| ■ Elk Grove | ■ Palm Springs | | |
| ■ Fairfield | ■ Redwood City | | |
| ■ Fremont | ■ Rogue River National Forest | | |
| ■ Fullerton | ■ San Clemente | | |

Projects included various forms of surveys for pavement distress data collection, this may have included walking, windshield, and/or semi-automated.





David Bivins
Senior Field Technician

Education

Civil Engineering Courses
San Francisco State University, 1994
AutoCAD Advanced Course
CAD Masters, Walnut Creek, CA, 1997

Registrations and Certifications

OCTA PAVER™ Certification, 2018
MTC StreetSaver® Certification 2017

Mr. Bivins has over 15 years of experience as a pavement management technician. As a senior technician, his experience extends beyond data collection for pavement distresses. Mr. Bivins is one of NCE's most experienced distress collectors and a primary choice for working with and training of our clients in field data collection activities.

Mr. Bivins performs all functions relating to data collection using paper forms or a tablet. As part of the quality control process, he performs cross-checks of data in the PMP database. He has performed quality control checks of field collected data and pavement maintenance history to ensure that PMP databases are accurate and up-to-date. During this process, Mr. Bivins also generates detailed reports, which are needed to help perform his cross-checks of the collected data.

His field experience and expertise is an added benefit to agencies during field training. Having performed data collection for agencies all over the State of California, Mr. Bivins has a depth of experience related to pavement types and conditions from performing condition surveys on more than 15,000 centerline miles of roads and streets. In addition, Mr. Bivins is proficient and certified by MTC. He attends annual in-house training and assists in training local agencies on distress identification and collection procedures.



PROJECT EXPERIENCE

Pavement Management Surveys | Senior Field Technician

- Ada County, ID
- Alameda County
- Albany
- Buena Park
- Campbell
- Chula Vista
- Citrus Heights
- Danville
- East Bay Regional Park District
- Elk Grove
- Fairfield
- Folsom
- Fremont
- Fullerton
- Hayward
- Humboldt County
- Inyo County
- Lafayette
- Lake County
- Los Gatos
- Mammoth Lakes
- Marin County
- Mendocino County
- Mission Viejo
- Modesto
- Newark
- Orinda
- Pebble Beach
- Placer County
- San Bruno
- San Mateo County
- Santa Barbara County
- Santa Cruz
- Santa Cruz County
- Santa Rosa
- Stanislaus County
- Stanton
- Torrance
- West Sacramento

Ken Huisman's Resume

märker geospatial llc



Ken brings more than 25 years of experience in the pavement and infrastructure management consulting industry. Over the course of Ken's career, he has provided many aspects of infrastructure management to government agencies across North America. During this time, Ken has supervised the creation of large and complex public pavement infrastructure and Geographical Information Systems (GIS) databases for many municipal, state, and federal projects.

Throughout Ken's career, he has developed an extensive portfolio in providing Pavement Management Program (PMP) services and is proficient with most off the shelf pavement management programs in the marketplace. Ken is routinely consulted by various agencies to provide helpful solutions that are applied throughout the entire life cycle of public infrastructure management.

Career Accolades:

- ✓ Participate in the Federal Highway Administration (FHWA) on the Long term Pavement Performance (LTPP) program
- ✓ Served and helped over 220+ local government public works agencies
- ✓ Aided ten (10) state and provincial governments on pavement management projects
- ✓ Involved with some of the earlier high-speed pavement profiling equipment provided in the industry
- ✓ Led the Jefferson Parish, Louisiana Public Works department to a confirmed settlement of \$100,000,000 with FEMA over funding of repairs for roads flooded during Hurricane Katrina.

Ken has provided valued service to many government agencies throughout North America including:

Cities and Counties

- | | | |
|--------------------------------|-----------------------------|-----------------------------|
| ✓ City of Anaheim, CA | ✓ City of Milwaukee, WI | ✓ County of Adams, CO |
| ✓ City of Auburn, WA | ✓ City of Napa, CA | ✓ County of Clackamas, OR |
| ✓ City of Augusta, GA | ✓ City of Newport Beach, CA | ✓ County of Clark, NV |
| ✓ City of Austin, TX | ✓ City of Norfolk, VA | ✓ County of Columbia, GA |
| ✓ City of Bend, OR | ✓ City of Ottawa, CAN | ✓ County of Honolulu, HI |
| ✓ City of Beverly Hills, CA | ✓ City of Pekin, IL | ✓ County of Los Angeles, CA |
| ✓ City of Calgary, CAN | ✓ City of Phoenix, AZ | ✓ County of Maricopa, AZ |
| ✓ City of Cheyenne, WY | ✓ City of Pittsburg, PA | ✓ County of Oakland, MI |
| ✓ City of Colorado Springs, CO | ✓ City of Sacramento, CA | ✓ County of Onondaga, NY |
| ✓ City of Detroit, MI | ✓ City of Salem, OR | ✓ County of Orange, CA |
| ✓ City of Fort Lauderdale, FL | ✓ City of San Diego, CA | ✓ County of Rio Blanco, CO |
| ✓ City of Fort Worth, TX | ✓ City of Topeka, KS | ✓ County of San Diego, CA |
| ✓ City of Honolulu, HI | ✓ City of Toronto, CAN | ✓ County of Santa Cruz, CA |
| ✓ City of Kansas City, KS | ✓ City of Vancouver, CAN | ✓ County of Weld, CO |

States and Provinces

- | | |
|--------------------------------------|---|
| ✓ Arizona DOT | ✓ New York DOT |
| ✓ Alberta Transportation, Canada | ✓ Ontario Ministry of Transportation, CAN |
| ✓ BC Ministry of Transportation, CAN | ✓ Oregon DOT |
| ✓ California DOT (CalTrans) | ✓ Saskatchewan Highways & Infrastructure, CAN |
| ✓ New Jersey DOT | ✓ Tennessee DOT |

Ken is a graduate of the School of Engineering at Georgian College in Canada. He spent 17+ years of his career with Stantec Consulting working his way up to Senior Associate before founding Mission Geographic in 2007, now known as Marker Geospatial, a firm dedicated to providing public works users and decision makers with a variety of innovative and useful infrastructure asset management tools.

In summary, Ken's experience with various operation management software technologies together with data collection and GIS mapping services—such as infrastructure asset inventories, condition assessments, GIS field infrastructure mapping, and 3D reality capture using LiDAR, has made him a great resource for all of the clients that he works with.



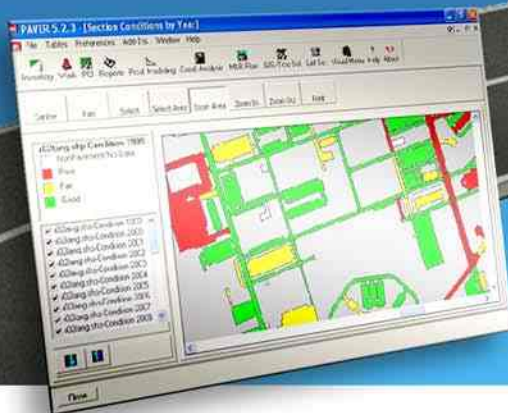
Appendix B – Sample QC Plan

The subsequent pages contain a sample QC Plan for the City's reference.

PAVEMENT MANAGEMENT SYSTEM QC PLAN

2016/2017

CITY OF
LAKE FOREST



The contents of this report is the confidential property of NCE and should not be copied, modified, retransmitted, or used for any purpose except with NCE's written authorization.



TABLE OF CONTENTS

1. Introduction.....	1
1.1. Objectives	1
1.2. Structure	2
2. Quality Control Plan	2
2.1. Condition Inspection Procedures	2
2.2. Accuracy Required For Data Collection	4
2.3. Inspectors' Qualifications and Experience	5
3. Safety Procedures	6

Appendix A - Resumes of Field Inspectors



1. Introduction

When performing data collection in any field, the need for quality control is paramount. This need for quality data is essential for accurate planning, analysis and design. NCE's "Quality Assurance Management Plan" (QAMP) affirms that:

"NCE is dedicated to achieving technical and management excellence and to delivering professional engineering and environmental services that meet or exceed our clients' needs. NCE's Quality Control (QC) Program is designed to achieve these goals. This QA Management Plan (QAMP) describes NCE's QA Program, which is based on four principles: client satisfaction, employee participation, problem prevention, and continuous quality improvements."

NCE's QAMP establishes minimum quality standards for performance and procedures for assuring that our clients receive quality service. It requires the participation of employees at every level. It encourages project managers and technical staff to take pride in their work and responsibility for ensuring that the work is done correctly the first time. The program is designed to reduce the incidence of problems related to quality and results in implementation, where necessary, of corrective actions and modification of work procedures to minimize the incidence of future problems.

NCE has also prepared detailed and specific Quality Control Plans for projects, and the most notable example is for the **Long Term Pavement Performance (LTPP) – Western Regional Support Contract** for the Federal Highway Administration. This is a 150 page document that covers data collection on highways, including deflection, profile, pavement distresses, traffic, maintenance and rehabilitation history, materials testing and sampling as well as a document control.

1.1. Objectives

This document constitutes a formal Quality Control Plan (QCP) for the City of Lake Forest. The focus is on data collection issues as part of the pavement management update.

Specifically, it is intended for the 2016/2017 Pavement Management Update. The focus is on the collection of network-level pavement distress data (defined by NCHRP Synthesis 401 *Quality Management of Pavement Data Collection*, as "Network-level data collection involves collection of large quantities of pavement condition data, which is often converted to individual condition indices or aggregated into composite condition indices.")



1.2. Structure

The following components are addressed in this QCP:

- Condition inspection procedures used
- Accuracy required for data collection
- Inspector qualifications and experience
- Safety

2. Quality Control Plan

2.1. Condition Inspection Procedures

The governing document in performing condition inspections for the City of Lake Forest is ASTM D6433-11 *"Standard Practice for Roads and Parking Lots Pavement Condition Index (PCI) Surveys."* Both asphalt concrete (AC) and Portland cement concrete (PCC) pavements are included in this protocol. The following distresses are collected for each pavement type.

Asphalt Concrete (AC) Pavements

1. Alligator (fatigue) cracking
2. Bleeding
3. Block cracking
4. Bumps and sags
5. Corrugation
6. Depression
7. Edge cracking
8. Joint reflection cracking
9. Lane/Shoulder drop off
10. Longitudinal and transverse cracking
11. Patching and utility cut patching
12. Polished aggregate
13. Potholes
14. Railroad crossing
15. Rutting
16. Shoving
17. Slippage cracking
18. Swell
19. Weathering
20. Raveling

Portland Cement Concrete (Jointed)

1. Blowup/Buckling
2. Corner breaks
3. Divided slab
4. Durability ("D") cracking
5. Faulting
6. Joint seal damage
7. Lane/shoulder drop off
8. Linear cracking
9. Patching (large) and utility cuts
10. Patching (small)
11. Polished aggregate
12. Popouts
13. Pumping
14. Punchout
15. Railroad crossing
16. Scaling, map cracking and crazing
17. Shrinkage cracks
18. Spalling (corner)
19. Spalling (joint)



Any exceptions to the above procedures will be discussed with the City before any inspections are performed. These are usually related to distresses or situations that are not covered in the manuals. Examples include slippage cracks, roller check marks or edge cracking on streets with no curbs and gutters. Others include the use of seals or open-graded asphalt concrete mixes. Any modifications will be documented and submitted to the City for approval.

All distress or condition inspections are performed as semi-automated inspections, and the entire pavement is inspected. Field crews are typically composed of a two-person crew traveling in a van. Crew will collect and record visual distresses using equipment installed in the van.

The data will be summarized into sample units and entered into the StreetSaver database. The size of the sample unit will be $2,500 \pm 1,000$ square feet as per ASTM D6433 protocols. In addition, the sample units will match the existing management sections set up in the StreetSaver database.

Before the actual inspection work begins the NCE team will perform two Field QC Steps. These are outlined as follows:

Step 1: Calibration

The first steps in this process is having NCE's Project Manager, Marker Geospatial's field manager and a field technician meet in the field, and drive a few roads and review some of the variety of pavement conditions that exist in the City of Lake Forest. This is a valuable exercise to calibrate or synchronize the team's view of the various distresses and ensure a consistent product.

Step 2: Quality Control

The QC team conducted an independent review of the pavement condition data collected on the County's and Cities' pavement networks. Since semi-automated distress data collection is different from the StreetSaver's walking protocols, this is required to ensure that the pavement data collected is consistent with those protocols.

Up to 40 pavement sites were selected for quality control purposes. They included a range of:

- Pavement Types (AC or PCC)
- Functional Classifications
- Pavement condition or age



The sites will be located in:

- City of Lake Forest – 10 sites
- City of Dana Point – 10 sites
- County of Orange – 20 sites

An independent NCE technician will be selecting the 40 sites and performing a detailed walking inspection. The semi-automated team will then perform a blind test on these sites (they will not know the location of these sites) and the results compared.

Acceptability Criteria

The types and severities of the distresses must be the same and quantities within $\pm 10\%$ of each other. If corrections are required on more than 10% of the calibration sites, then an additional four sites will be selected and compared. This will continue until more than 95% of the calibration sites meet the acceptability criteria.

2.2. Accuracy Required For Data Collection

The accuracy required for data collection has two components, both of which are further described in the following paragraphs.

- Re-inspections
- PCI comparisons with past inspections

2.2.1 Re-Inspection "Check"

At least five percent of all inspections are randomly re-inspected by other team members. A different inspector will review these sites and determine the revised pavement distress measurements. If the initial inspection is determined to be inaccurate, the original inspector is given refresher training before being allowed to continue with any further inspections. Should the data be inaccurate for a certain day, all the data for that day will be re-inspected following refresher training to ensure accuracy.

Acceptability Criteria

At the time of re-inspection, the actual distresses will be re-inspected and verified, and any corrections made, if necessary. Distress types and severities must be the same and re-measured quantities within $\pm 10\%$ of the original measured quantity.



If corrections are required on more than 10% of the re-inspected sample units, then an additional 5% will be re-inspected. This will continue until all more than 95% of the re-inspected sections meet the acceptability criteria.

2.2.2 PCI Comparison with Past Inspections

As another level of quality control, the new PCIs are compared with the previous PCIs. If they differ by more than ± 10 PCI points, these sections are automatically flagged for further investigation.

If PCI Increases 10 Points:

The section is investigated to see if a maintenance and rehabilitation event has occurred since the last inspection, but which has not been recorded. This can only be resolved with feedback from the City. Typically, it may include activities such as:

- Crack sealing activities – changes medium or high severity cracking to low severity
- Patching activities - alligator cracking that has been removed and patched, so that the resultant PCI is increased.
- Surface seals
- Overlay

Therefore, an up-to-date maintenance and rehabilitation history file in the StreetSaver database is desirable, both for historical accuracy as well as to provide additional quality control.

If PCI –Decreases 10 Points

The section is checked to see if the average deterioration rate (usually 3 to 4 points per year) is exceeded. If the drop in PCI is within the range of what is acceptable, no further action is required. If the drop is more than the acceptable range, a re-inspection will be performed. The default performance curves in the pavement management software form the basis for what is acceptable.

2.3. Inspectors' Qualifications and Experience

All NCE's inspectors are required to attend formal training on condition distress inspections. For example, any of NCE's inspectors working on the LTPP project are required to attend a week-long training workshop every year to maintain their certifications. The Regional Transportation Commission (RTC) of Washoe County



requires inspectors to be calibrated prior to performing any work using the ASTM D6433 protocols (also known as the pavement management inspections).

For pavement management (or ASTM D6433) inspections, NCE's technicians underwent the OCTA technician certification exercise held in December 2015 and the internal training during May 2016.

Similarly, in agencies that use the StreetSaver system, NCE's inspectors attend the distress training conducted by the Metropolitan Transportation Commission (MTC). After the formal training, they work with an experienced inspector before they are allowed to work on their own. Within the first month of working on their own, up to 20% of their work is checked weekly. Any necessary corrections are made immediately.

Finally, NCE conducts a one-day training and calibration workshop for all NCE staff involved with data collection. This is conducted once a year.

Inspector Name	Date of ASTM D-6433 Training	Training Conducted by:
Narut Leehacharoenkul	May 17, 2016	Lisa K. Senn
Franc Escobedo	November 1, 2015	Lisa K. Senn
David Bivins	May 17, 2016	Lisa K. Senn
Meiling Cai	May 17, 2016	Lisa K. Senn

Resumes of technicians utilized on this project are included in Appendix A.

3. Safety Procedures

NCE administers a health and safety program in compliance with the Nevada Occupational Safety and Health Act (Section 618.383) and Cal OSHA Title VIII, Section 3203. The program is documented in NCE's *Workplace Safety Program Manual*.

Generally, the safety procedures include:

- Inspectors to wear a Class 2 safety vest at all times;
- Flashing beacon on all vehicles utilized for inspections; and
- Stopped vehicles to be parked at locations away from moving traffic (e.g. nearby parking, shoulders etc.).



On streets where there is a high volume of traffic or high speeds, additional measures may be necessary, such as:

- Inspections to occur during off-peak periods or on weekends;
- Additional inspector to watch out for traffic; and
- Traffic flaggers in extreme cases.

In extreme cases where it is not possible to walk on the pavement surface, inspections will be performed from sidewalks or raised medians. However, this is extremely rare for city or county roads/streets; this is most often encountered on state highways, and lane closures are the most likely option at this point.

All NCE inspectors are required to annually update their online safety programs as administered by "Click Safety". Class Taken are:

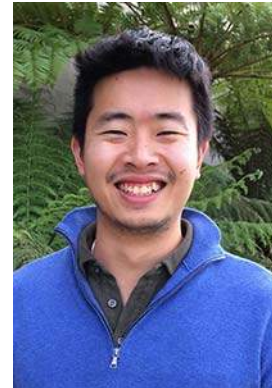
- C2 Cal PPE
- C2 Workzone Traffic Control
- C2 Workzone Traffic Safety Tips
- G2 Cal/OSHA Heat Illness

Appendix A

Resumes of Field Inspectors

Narut Leehacharoenkul, EIT Staff Engineer

Mr. Leehacharoenkul has engineering project experience including pavement management budget analyses using both MicroPAVER and StreetSaver software, pavement condition survey QA/QC inspection, asset management using EarthMine, and AutoCAD Civil 3D. Narut interned in Bangkok in the summer of 2012 assisting the field engineer document various phases of construction. Mr. Leehacharoenkul worked at the City of Stanton as an engineering intern from February to August 2013.



Pavement Management

Mr. Leehacharoenkul is responsible for updating the analysis and quality control of pavement distress data, updating maintenance and rehabilitation decision trees and the treatment unit costs, and the development of budget scenarios and summary reports. His clients include the following cities and counties:

Buena Park	Highland	San Clemente
Camarillo	La Habra	San Gabriel
Commerce	Lake Forest	Santa Barbara County
Corona	Mission Viejo	Seal Beach
Dana Point	Manhattan Beach	Stanton
Diamond Bar	Orange County	Thousand Oaks
Fullerton		Torrance

Education

B.S. Civil Engineering (Transportation System Engineering), 2012
University of California – Irvine
Women's Transportation Seminar 2012

Registrations and Certifications

Engineer in Training–CA #144653

Affiliations

ASCE
UCI Thai Club President 2010 - 2012

Joined NCE

2013

Total Years of Experience

2 Years

Representative Projects

FY 2015 Measure M Street Resurfacing and Reconstruction /
Staff Engineer
Berkeley, California

The project included the pavement Reconstruction and Resurfacing of over 39 streets or over 6 miles of arterials, collector, and residential streets. Mr. Leehacharoenkul prepared civil sheet design and layout for the 15 resurfacing streets as well as the design of several pages of curb ramp, striping, and construction details. Additional responsibilities included collecting field data such as ADA curb ramps, base repairs, and existing conditions of the streets.

County of Orange / GIS Specialist

Orange County, California

Mr. Leehacharoenkul worked closely with Cartegraph who is contracted data collection for roads and non-pavement asset collection. His primary job was to catalog assets for the City of Lake Forest from EarthMine imagery to ArcMap 10.1. The assets included curb & gutter, striping, storm drains, street lights, traffic signals and curb pain. In addition, he was the lead communicating with the subconsultant and meeting with City contacts and setting up EarthMine viewer for use with ArcMap.

Mission Viejo / Staff Engineer

Mission Viejo, California

The City switched from MicroPAVER software to MTC's StreetSaver software in 2014. Mr. Leehacharoenkul assisted with the conversion and verified the accuracy of the data. As part of the project, the maintenance and rehabilitation (M&R) decision tree was updated with new treatments and unit costs re-evaluated prior to performing any budgetary analyses.

In addition, the City's projected 20-year pavement budget was analyzed and a 7-year work plan prepared. Numerous custom reports were prepared for the City, and finally, an executive summary was submitted to OCTA for compliance with the Measure M program.

Stanton / Engineering Intern

Stanton, California

Mr. Leehacharoenkul prepared documents for Measure M2 Eligibility submittal package to receive funding from OCTA. Collaborated with the Finance Department on completing Mitigation Fee Program. Organized a 7-year Capital Project Improvements Plan. Helped to develop an Evacuation Plans for the City Hall and City Corporate Yard. Updated and reorganized the City's record retention data. He is also very familiar with the City's and MUTCD standards. He calculated and updated the City's pavement PCI level as part of the Pavement Management Program.

Italian-Thai Development PLC / Engineering Intern

Bangkok Thailand

Bangkok Bridges Reparation Project – Renovating, rebuilding and reinforcing 28 bridges around the outskirts of Bangkok. Assisted in construction drawings and maps. Conducted field surveys, tabulated and plotted field data. Materials and workmanship inspection. Compiled reports, cost calculations, material inventory, prepared presentation for project manager.

Franc Escobedo

Engineering Field Technician

Mr. Franc Escobedo has over 15 years of experience as a pavement management technician for NCE. He has performed numerous pavement condition inspections throughout California, Idaho, and Washington. He experience includes distress collection across various Pavement Management Systems including the Metropolitan Transportation Commission StreetSaver, MicroPAVER, Cartegraph, and Hansen systems.

Additionally, Mr. Escobedo has completed both the OCTA MicroPAVER and MTC "Distress Identification" courses for both Asphalt Concrete and Portland Cement Pavements and now assists with the training of agency staff on both courses.

Mr. Escobedo performs all activities relating to pavement data collection using hardcopy forms or tablets. As part of the quality control process, he performs cross-checks of data in the PMS database. He also regularly performs quality control checks of field collected data and pavement maintenance history to ensure that PMS databases are accurate and up-to-date. During this process, he also generates detailed reports, which are necessary to perform his cross-checks of the collected data.

His field experience and expertise is an added benefit to agencies during field training. Having performed data collection for agencies all over the State of California, there isn't a lot he hasn't seen. Listed below are a collection of agencies for which Mr. Escobedo has performed condition inspections, all together they easily account for over 6,000 centerline miles of roads and streets.



Education

Computer Operations Program
Computer Learning Center, Los Angeles, CA, 1983-84
Network Engineering & Administrative Program
Computer Learning Center, Anaheim, CA, 1997
Certified Network Administration
Computer Learning Center, Anaheim, CA 1997

Representative Projects

Pavement Management Inspections / Engineering Field Technician

Ada County, Idaho	Agoura Hills	Anaheim	Antioch
Bell	Buena Park	Camarillo	Chula Vista
Corona	Cudahy	Dana Point	Davis
Fairfield	Fullerton	Humboldt County	Inyo County
La Habra	Lake Forest	Lemon Grove	Marin County
Martinez	Mendocino County	Milpitas	Mission Viejo
Mono County	Newark	Orange County	San Dimas
San Ramon	Santa Maria	Seal Beach	Stanislaus County
Stanton	Thousand Oaks	Torrance	Tulare
Tuolumne County	Tustin	Vernon	Vista
Walnut Creek	West Covina	West Sacramento	

Projects included various forms of inspections for pavement distress data collection, this may have included walking, windshield, and/or semi-automated.

Meiling Cai Field Technician

Ms. Cai has worked with NCE upon her graduation from the University of California-Irvine. She has performed pavement condition inspections throughout California and Idaho. Her experience includes distress collection across various pavement management systems.

Representative Projects

Pavement Management System and Update | *Field Technician* *City of Whittier, California*

NCE provided the PMP implementation of 195 centerline miles. NCE performed the following tasks: Conversion of old pavement inventory into the StreetSaver® database; review of inventory data; performed condition inspections; PCI calculation; import of M&R history records; review of M&R strategies and costs; determine the funding needs of the road network; completion of multiple funding scenarios, linkage of the database to GIS, City staff training, and provided technical support.

Pavement Management Plan Updates | *Field Technician* *City of La Habra, California*

NCE is providing a comprehensive pavement condition inspection of the City's streets and alleys in order to prepare the 2015 update report to the Orange County Transportation Authority. Updates include the Pavement Condition Index, treatment, unit costs, and cost of all segments of the City's streets.

Pavement Management Plan Updates | *Field Technician* *City of Manhattan Beach, California*

NCE updated the City's Pavement Management Program including inspection/evaluation of approximately 120 centerline miles of paved streets, review and recommendation of revisions to the current pavement management strategies and costs as well as the preparation of a final Pavement Management Program report.

Pavement Management Plan Updates | *Field Technician* *City of El Centro, California*

NCE developed the City's Pavement Management System including detailed inspection and evaluation of the City's streets and recommendations for maintenance methodologies and pavement treatment options.

Pavement Management Updates | *Field Technician* *City of Whittier, California*

NCE is converting the City's old pavement management database to StreetSaver™ software. The City has approximately 210 centerline miles of streets comprised of both asphalt concrete and portland cement concrete pavements. NCE recently performed condition inspections as per ASTM D6433 distress protocols.



Education

B.S., Civil Engineering, 2014
University of California-Irvine

Joined NCE

2015

Total Years of Experience

1 year

David Bivins

Senior Engineering Technician

Mr. Bivins has over 15 years of experience as a pavement management technician. As a senior technician, his experience extends beyond data collection for pavement distresses. Mr. Bivins is one of NCE's most experienced distress collectors and a primary choice for working with and training of our clients in field data collection activities.

Mr. Bivins performs all functions relating to data collection using paper forms or a tablet. As part of the quality control process, he performs cross-checks of data in the PMS database. He has performed quality control checks of field collected data and pavement maintenance history to ensure that PMS databases are accurate and up-to-date. During this process, Mr. Bivins also generates detailed reports, which are needed to help perform his cross-checks of the collected data.

His field experience and expertise is an added benefit to agencies during field training. Having performed data collection for agencies all over the State of California, Mr. Bivins has a depth of experience related to pavement types and conditions from performing condition surveys on more than 15,000 centerline miles of roads and streets. In addition, Mr. Bivins is proficient and certified in the two most popular distress identification procedures – PAVER and StreetSaver. He attends annual in-house training and assists in training local agencies on distress identification and collection procedures.



Education

Civil Engineering Courses
San Francisco State University, 1994
AutoCAD Advanced Course
CAD Masters, Walnut Creek, CA, 1997

Registrations and Certifications

MTC StreetSaver Rater Certification
Program (expires September 2017)

Joined NCE

2011

Total Years of Experience

15 years

Representative Projects

Pavement Management













Pavement Management System Updates | Senior Field Technician

Various Cities and Counties, CA

Projects included various forms of surveys for pavement distress data collection, this may have included walking, windshield, and/or semi-automated.

-  Ada County, ID
-  Alameda County
-  Albany
-  Buena Park
-  Campbell
-  Chula Vista
-  Citrus Heights
-  Danville
-  Davis
-  East Bay Regional Park District
-  Elk Grove
-  Fairfield
-  Folsom
-  Fremont

-  Fullerton
-  Hayward
-  Humboldt County
-  Inyo County
-  Lafayette
-  Lake County
-  Los Gatos
-  Mammoth Lakes
-  Marin County
-  Mendocino County
-  Mission Viejo
-  Modesto
-  Newark
-  Orinda

-  Pebble Beach
-  Placer County
-  San Bruno
-  San Mateo County
-  Santa Barbara County
-  Santa Cruz
-  Santa Cruz County
-  Santa Rosa
-  Stanislaus County
-  Stanton
-  Torrance
-  West Sacramento



Appendix C – Sample Work

The subsequent pages contain a redacted sample report from the City of Buena Park for the City's reference.



City of Buena Park

6650 Beach Blvd., Buena Park, CA 90621

Final Report

2016 Pavement Management Program Update

June 2016



Fountain Valley, CA

9550 Warner Avenue, Suite 370

Fountain Valley, CA 92708

Tel: (714) 848-8897

496.08.30

City of Buena Park Pavement Management Plan 2016 Update

Final Report

Submitted to:

**City of Buena Park
Public Works Department
6650 Beach Boulevard
Buena Park, CA 90622**

June 2016



Table of Contents

EXECUTIVE SUMMARY	1
BACKGROUND	5
PURPOSE	6
NETWORK PAVEMENT CONDITION	7
MEASURE M2 COMPLIANCE	10
COST TO REPAIR ROADS	11
BUDGET NEEDS	13
FUNDING FOR PAVEMENT MAINTENANCE	14
BUDGET SCENARIOS	15
SCENARIO 1: CURRENT FUNDING LEVEL (\$7.70 MILLION)	16
SCENARIO 2: MAINTAIN PCI AT 75 (\$13.70 MILLION)	17
SCENARIO 3: MAINTAIN CURRENT PCI (\$46.64 MILLION)	18
SCENARIO 4: INCREASE PCI BY 1 POINT (\$50.18 MILLION)	19
SUMMARY	20
RECOMMENDATIONS	22

Appendix A: Agency Submittal Checklist

Appendix B: Pavement Management Plan Certification

Appendix C: QA/QC plan

Appendix D: Pavement Management Plan - Average (weighted by area) PCI for:

- i. Entire Pavement Network
- ii. MPAH Network
- iii. Local road Network

Appendix E: Work History

Appendix F: Seven-Year Plan for Road Maintenance and Rehabilitation

Appendix G: Projected PCI under Existing Funding Levels for the Next Seven Years

- Average (weighted by area) PCI for:

- i. Entire Pavement Network
- ii. MPAH Network
- iii. Local Road Network



List of Tables

Table 1: Network PCI Breakdown	1
Table 2: Current Pavement Network Condition	2
Table 3: Pavement Condition Categories by PCI	7
Table 4: Pavement Network Summary	8
Table 5: Pavement Condition Summary.....	9
Table 6: Historical PCI	10
Table 7: Summary of Results from an Unconstrained Needs Analysis	13
Table 8: Pavement Maintenance Budget for FY 2016/2017 to 2022/2023	14
Table 9: Summary of Results for Scenario 1.....	16
Table 10: Summary of Results for Scenario 2.....	17
Table 11: Summary of Results for Scenario 3.....	18
Table 12: Summary of Results for Scenario 4.....	19

List of Figures

Figure 1: Photos of Pavements with Different PCIs.....	8
Figure 2: Network Area Percentage by Condition.....	9
Figure 3: Cost to Maintain Pavement over Time	12
Figure 4: PCI vs. Deferred Maintenance for Scenario 1	16
Figure 5: PCI vs. Deferred Maintenance for Scenario 2	17
Figure 6: PCI vs. Deferred Maintenance for Scenario 3	18
Figure 7: PCI vs. Deferred Maintenance for Scenario 4	19
Figure 8: Projected PCIs by Scenario by Year	20
Figure 9: Deferred Maintenance by Scenario by Year	21



EXECUTIVE SUMMARY

The City of Buena Park (City) performs biennial updates of its Pavement Management Plan (PMP) to assist policy makers in making decisions for road maintenance as well as complying with the Orange County Transportation Authority (OCTA)'s Measure M2 Program. This report summarizes findings from the 2016 PMP Update.

The City is responsible for the maintenance and repair of approximately 191.3 centerline miles of pavements, which includes 61 miles of Master Plan of Arterial Highways (MPAH), and 130.3 miles of local roads with a total replacement cost of \$301.6 million. The City in the past used the PAVER Pavement Management System (PMS) software, but converted to the StreetSaver™ software in 2016. The MPAH roads were the only roads inspected in this update.

The City monitors pavement conditions by collecting pavement distresses in compliance with ASTM D6433-11¹ and as outlined by OCTA in the "Countywide Pavement Management Plan Guidelines", Chapter 2². Table 1 below summarizes the network's Pavement Condition Index (PCI) breakdown by functional classification.

Table 1: Network PCI Breakdown

Functional Class	Pavement Area (sf)	Centerline Mileage	Weighted Average PCI
MPAH	11,383,315	61.0	78
Local	22,639,854	130.3	79
Total	34,023,169	191.3	79

The current weighted average (by area) PCI³ of the City of Buena Park is 79. Overall, 73% of the City's road network area is in the "Very Good" and "Good" condition categories, approximately 26% of the roads are in the "Fair" and "Poor" condition categories, with 1% in the "Very Poor" category.

Table 2 is a summary of the current network condition by condition category.

¹ ASTM. "ASTM D6433-11." Standard Practice for Roads and Parking Lots Pavement Condition Index Inspections

² OCTA. "Pavement Management Plan Guidelines." *Countywide Pavement Management Plan Guidelines Manual*. January 2016

³ The weighted average PCI is a result of multiplying the area of each road section by the PCI of that section, totaling all sections together and then dividing by the total of the network areas or functional classification.



Table 2: Current Pavement Network Condition

Condition Category	PCI Range	Network	Area of Pavement (sf)		Centerline Mileage of Network		
			FC	Percentage	FC	Total	Percentage
Very Good	86-100	MPAH	4,347,725	12.8%	23.7	34.8	18.2%
		Local	2,048,258	6.0%	11.0		
Good	75-85	MPAH	2,416,381	7.1%	13.1	108.2	56.5%
		Local	16,010,279	47.1%	95.1		
Fair	60-74	MPAH	3,357,921	9.9%	17.6	36.6	19.1%
		Local	3,587,353	10.5%	18.9		
Poor	41-59	MPAH	1,063,568	3.1%	5.6	9.9	5.2%
		Local	848,708	2.5%	4.4		
Very Poor	0-40	MPAH	197,720	0.6%	1.0	1.9	1.0%
		Local	145,256	0.4%	0.8		
		Total	34,023,169	100.0%	191.3	191.3	100.0%

Measure M2 grant funding for arterial, intersection, and freeway/arterial improvements include an incentive for successful implementation of a PMP. The incentive is a 10% reduction in local matching fund requirements if either of the following conditions apply:

- a) Show measurable improvement of paved road conditions during the previous reporting period defined as an overall weighted (by area) average system improvement of one PCI point with no reduction in the overall weighted (by area) average PCI in the MPAH or local road categories;

or -

- b) Have road pavement conditions for the overall network during the previous reporting period within the highest 20% of the scale for road pavement conditions in conformance with OCTA Ordinance No.3, defined as a PCI of 75 or higher.

The City meets requirement (b) noted in the preceding paragraph by maintaining the average network PCI above 75 as required by OCTA. The City will remain eligible for the 10% reduction in local matching fund requirement.



The following four budget scenarios were performed as part of this report.

Scenario 1: Current Funding Level (\$18.30 M) – The projected current funding level for the next seven years is \$18.30 million which is significantly lower than the \$28.61 showed in the 2014 report. This funding scenario results in a five-point drop in the network PCI from 79 to 74 by the end of the analysis period. By fiscal year 2022/23, the deferred maintenance will increase from \$22.13 million to \$38.71 million.

Scenario 2: Maintain Network PCI at 75 (\$21.25 M) – This scenario shows that it will take \$21.25 million to maintain the PCI at 75, which will keep the City eligible for Measure M2 funding. The deferred maintenance will increase from \$22.13 million to \$40.94 million.

Scenario 3: Maintain Current Network PCI at 79 (\$31.53 M) – To maintain the current network PCI of 79, the City will need to spend \$31.53 million over the next seven years. The deferred maintenance will decrease to \$20.27 million.

Scenario 4: Increase Network PCI by 1 Point (\$35.05 M) – A total budget of \$35.05 million is needed to increase the network PCI to 80 and maintain it at that level over the next seven years. The deferred maintenance will decrease to \$17.75 million over the analysis period.

CONCLUSION

The City has a road system that is in overall “Good” condition with 73% of the network in “Very Good” and “Good” condition categories and a network average PCI of 79. Approximately 26% of the City’s road network currently falls into “Fair” and “Poor” conditions, and 1% in the “Very Poor” category. Based on the pavement condition, the City has met OCTA’s requirement for receiving a 10% reduction in the local matching fund by maintaining the overall network PCI above 75.

The estimated annual budget is \$18.30 million over the next seven years which is expected to decrease the network PCI to 74. This would mean the City would **not** be eligible for future Measure M2 funding by FY 2021/22, when the PCI drops below 75.



RECOMMENDATIONS

Therefore, NCE recommends that the City consider the following:

- Increase current funding level to a minimum of \$21.25 million over the next seven years, as recommended in Scenario 2, in order to maintain a PCI of 75 that would allow the City to remain eligible for Measure M2 funding.
- Monitor construction costs and develop strategies to capitalize on any cost savings that may occur.
- Update the Pavement Management Plan as required by OCTA to ensure that Measure M2 funds are not jeopardized.
- Review and update the maintenance and rehabilitation (M&R) decision tree and the associated unit costs to reflect current construction methods as well as to keep the budget analysis results accurate. At the same time, all M&R construction activities should be updated in the City's database biennially.
- Consider rehabilitation alternatives that "stretch the maintenance dollar" such as cold-in-place recycling (CIR), full depth reclamation (FDR), or micro-surfacing.



BACKGROUND

The City is responsible for the maintenance and repair of approximately 191.3 centerline miles of pavements, which includes 61 miles of MPAH, and 130.3 miles of local roads with a total replacement cost of \$301.6 million. The City used PAVER Pavement Management System (PMS) software in the past, but converted to StreetSaver™ in 2016. This update collected pavement distresses using the ASTM D6433-11¹ method as described by OCTA in the "Countywide Pavement Management Plan Guidelines", Chapter 2². The MPAH roads were the only roads inspected in this update.

A Pavement Management Plan (PMP) is a tool designed to assist cities and counties to answer typical questions such as:

- What does the City's pavement network consist of? How many miles of roads are in a jurisdiction? What is the total pavement area of these roads?
- What is the existing condition of the pavement network? Is this an acceptable level for the City? If not, what is an acceptable level? How much additional funding is needed to achieve an acceptable level? How much is needed to maintain it at this level?
- How will the condition of the pavement network respond over time under existing funding levels?
- What maintenance strategies are needed to maintain or improve current pavement conditions?
- What maintenance activities or treatments have occurred in the past on any given road?
- What impact would either additional funding, or a decrease in funding, have on the condition of the overall pavement network?
- What are the maintenance priorities under different budget constraints?



PURPOSE

The biennial update of the PMP is an eligibility requirement of the Measure M2 plan, as administered by OCTA. Appendix A of this report contains the Agency Submittal Checklist which indicates the location of required information. Appendix B contains the PMP certification required by OCTA and Appendix C contains the Quality Assurance/Quality Control (QA/QC) Plan developed by NCE for this project.

Prior to the 2016 update, the City converted to the StreetSaverTM software to better meet the goals and objectives established by the City. This update included an inspection of the City's MPAH network, and updating the database with M&R activities that occurred in the past two years (see Appendix E.) In addition, pavement treatment policies and unit costs were reviewed and updated.

The purpose of this report is to assist policy makers in utilizing the results of the StreetSaverTM software. Specifically, this report links the PMP recommended repair plan costs to the City's budget alternatives to improve overall M&R strategies of the City's MPAH and local roads. It also maximizes the return from expenditures by:

- Implementing a multi-year road rehabilitation and maintenance plan;
- Developing a preventive maintenance plan; and
- Selecting the most cost effective repairs.

This report assists the City with identifying M&R priorities specific to the City's needs. It examines the overall condition of the road network and highlights options for improving the current network-level PCI. These options are developed by conducting "what-if" analyses using the StreetSaverTM software. By varying the budget amounts available for pavement maintenance and repair, the impact of different funding strategies on the City's roads over the next seven years was determined.



NETWORK PAVEMENT CONDITION

A pavement condition inspection of the City's pavement MPAH roads was conducted in January 2016 using the ASTM D6433-11¹ protocols. The City was not required to inspect the local roads this year since they were last inspected in 2011. After the inspections were completed, the pavement condition data was entered into the StreetSaver™ database and a PCI calculated for each road section.

The PCI is a measurement of pavement grade or condition that ranges from 0 to 100. A newly constructed or rehabilitated road should have a PCI of 100, while a failed road has a PCI of 40 or less. Table 3 below shows the PCI range for each of condition category, which is outlined by OCTA in the "Countrywide Pavement Management Plan Guidelines", Chapter 2.3². Figure 1 includes photos that illustrate the different PCIs.

Table 3: Pavement Condition Categories by PCI

Condition Category	PCI Range
Very Good	86-100
Good	75-85
Fair	60-74
Poor	41-59
Very Poor	0-40

The City's overall PCI for their pavement network is 79, which is in the "Good" condition category. Table 4 summarizes the condition of the pavement network in the City and shows that the MPAH roads cover approximately 33% of the network area, with the remainder composed of local roads. Detailed section inventory and PCI reports are included in Appendix D.



Figure 1: Photos of Pavements with Different PCIs

Table 4: Pavement Network Summary

Functional Class	Centerline Miles	# of Sections	Pavement Area (sf)	% of Total Pavement Area	Weighted Average PCI
MPAH	61.0	262	11,383,315	33%	78
Local	130.3	801	22,639,854	67%	79
Total	191.3	1,063	34,023,169	100%	79

Table 5 provides a more detailed breakdown of the network by condition category. As can be seen, a majority, 73%, of the network is in the "Very Good" to "Good" condition, 26% in the "Fair" to "Poor" condition, and with 1% in "Very Poor" condition.



Table 5: Pavement Condition Summary

Condition Category	PCI Range	Network	Area of Pavement (sf)		Centerline Mileage of Network		
			FC	Percentage	FC	Total	Percentage
Very Good	86-100	MPAH	4,347,725	12.8%	23.7	34.8	18.2%
		Local	2,048,258	6.0%	11.0		
Good	75-85	MPAH	2,416,381	7.1%	13.1	108.2	56.5%
		Local	16,010,279	47.1%	95.1		
Fair	60-74	MPAH	3,357,921	9.9%	17.6	36.6	19.1%
		Local	3,587,353	10.5%	18.9		
Poor	41-59	MPAH	1,063,568	3.1%	5.6	9.9	5.2%
		Local	848,708	2.5%	4.4		
Very Poor	0-40	MPAH	197,720	0.6%	1.0	1.9	1.0%
		Local	145,256	0.4%	0.8		
		Total	34,023,169	100.0%	191.3	191.3	100.0%

A graphical representation of the percent area for each functional classification breakdown by PCI ranges is shown below in Figure 2.

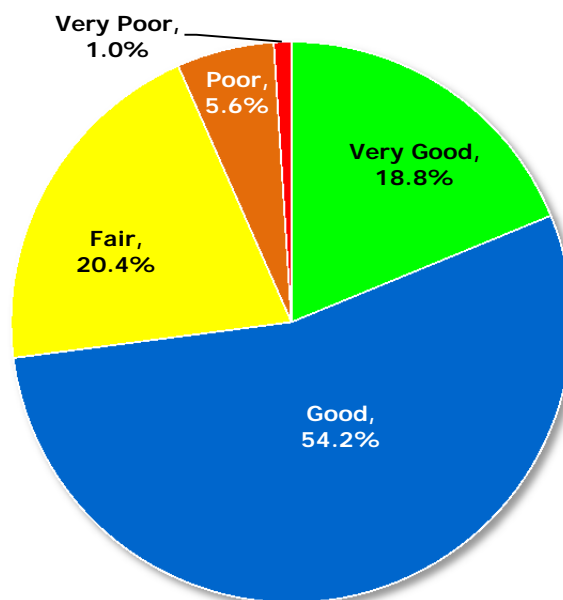


Figure 2: Network Condition Breakdown (Percent by Area)



Table 6 shows an eight point drop in the network PCI from 87 in 2014 to 79, which is significant. The current funding projections indicate that the annual budget has dropped from approximately \$4 million to \$1.1 in 2016. This reduction in the annual budget occurred since the last update in 2014. The result of the reduction saw the overall PCI's. Note too that the local roads have not been inspected since 2011, and the prediction models in StreetSaver are based on the last inspection date. To comply with OCTA's requirements, both MPAH and local networks will need to be re-inspected in 2018.

Table 6: Historical PCI

Year	2012	2014	2016
PCI	87 [*]	87 [*]	79 ^{**}

* PCI report using PAVER

** PCI report using StreetSaver™

MEASURE M2 COMPLIANCE

The Measure M Regional Capacity Plan - which provides Measure M2 grant funding for arterial, intersection, and freeway/arterial improvements, includes an incentive for successful implementation of a PMP. The incentive is a 10% reduction in local matching fund requirements if either of the following conditions apply:

- a) Show measurable improvement of paved road conditions during the previous reporting period defined as an overall weighted (by area) average system improvement of one PCI point with no reduction in the overall weighted (by area) average PCI in the MPAH or local road categories;
- or -
- b) Have road pavement conditions for the overall network during the previous reporting period within the highest 20% of the scale for road pavement conditions in conformance with OCTA Ordinance No.3, defined as a PCI of 75 or higher.

The City's weighted (by area) PCI rating meets requirements (b) noted in the preceding paragraph with the average network PCI of 79, four points above the 75 required by OCTA. The City will remain eligible for the 10% reduction in local matching fund requirements for the next biennial cycle.



COST TO REPAIR ROADS

The cost to repair and maintain a road depends on its current PCI and functional classification. StreetSaver™ has a unique decision tree that allows different repair types and costs to be assigned to each combination of the functional classification, surface type and condition category.

Based on the City's M&R decision tree, the road sections with PCIs in the "Very Good" condition category do not require maintenance treatments. Approximately 18.8% of the entire network is in this category. For roads in the "Good" category, it costs very little to apply preventive maintenance treatments such as crack seal and rubberized emulsion aggregate slurry (REAS), which can extend the life of a pavement by correcting minor faults and reducing further deterioration. Preventive maintenance treatments are typically applied to local roads before pavement deterioration has become severe and cost approximately \$2.50 per square yard. Approximately 54.2% of the City's local roads would benefit from these relatively inexpensive, life-extending treatments.

Pavements in the "Fair" condition shows some form of distress or wear that require more than a life-extending treatment. At this point, a well-designed pavement will reach 75% of its life. Under this pavement condition, the road surface may require an asphalt rubber hot mix (ARHM) overlay or dig-out repairs (2 inches) prior to an ARHM overlay, which typically cost \$18.15-20.25 per square yard for MPAH and \$12.75-\$14.70 per square yard for locals. Table 5 indicates that 20.4% of the City's road network falls into the "Fair" condition category.

After 75% of its life, pavement condition falls into the "Poor" category. The quality of the pavement has dropped by about 40%. Depending on the pavement condition, it may require dig-out repairs (4 inches) prior to an ARHM overlay, which costs \$45.35 per square yard for MPAH and \$35.25 per square yard for locals. For the 2016 update, about 5.6% of the network falls under the "Poor" condition.

The final PCI range is 0-40 or "Very Poor" condition. Pavements in this category are near the end of their service life and often exhibit severe forms of distress such as potholes, rutting and extensive cracking, etc. At this stage, reconstruction could be an option when budget allows. This treatment can be funded under the M2 competitive grant program. It costs \$95.25 per square yard for MPAH and \$72.00 per square yard for locals. Based on the information in Table 5, 1% of the City's road network falls into this PCI range.

Figure 3 demonstrates that pavement maintenance follows the old colloquial saying of "pay now, or pay more later." As can be seen, by allowing pavements to deteriorate, roads that once cost only \$2.50 per square yard to seal may soon cost upwards of \$95.25 per square yard for reconstruction.

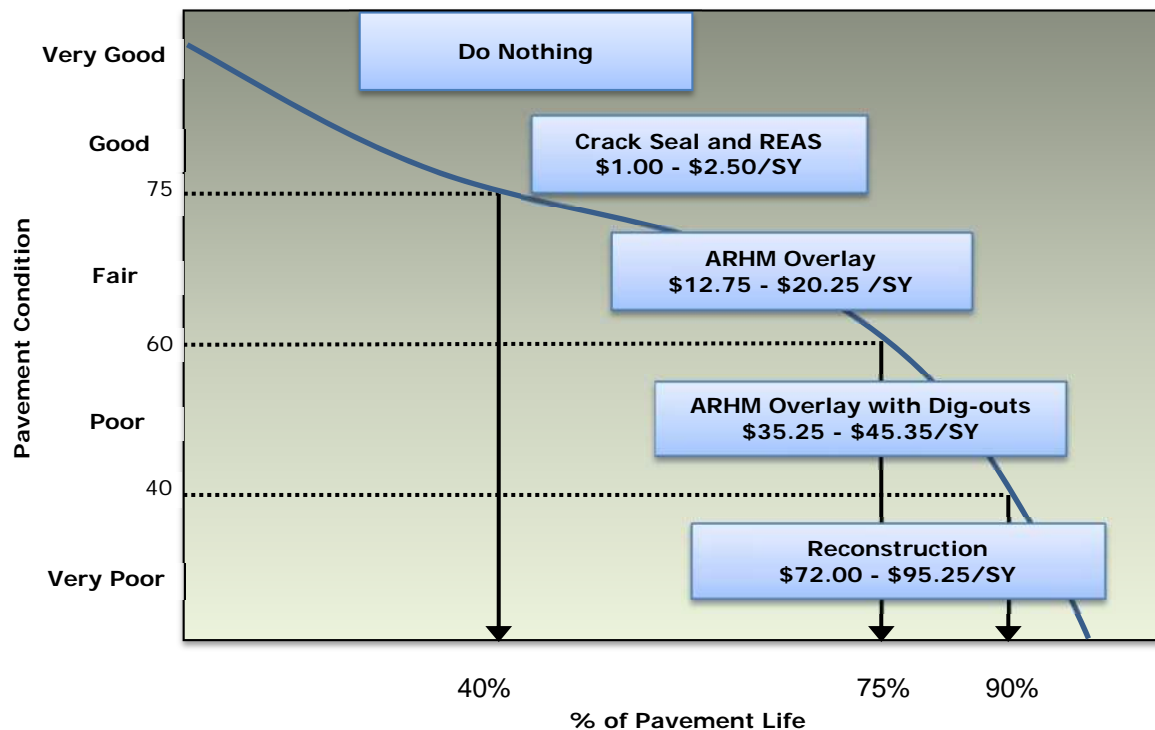


Figure 3: Cost to Maintain Pavement over Time

One of the key elements of a pavement management repair strategy is to keep roads in the "Good" to "Fair" categories from deteriorating. This is particularly true for roads in the "Fair" range, because they are at the point where pavement deterioration accelerates if left untreated.

The City's pavement maintenance strategies include seals, overlays and reconstruction. Since a large percentage of the pavements are in the "Good" condition, it is important to preserve them. Crack sealing, one of the least expensive treatments, can keep the moisture out of the pavements and prevent the aggregate base from premature failure. Life-extending surface seals, such as a REAS is a cost-effective treatment for keeping pavements in good condition.



BUDGET NEEDS

Based on the principle that it costs less to maintain roads in good condition than bad, the StreetSaver™ program strives to develop an M&R strategy that will improve the overall condition of the network to an optimal PCI level. The optimal PCI level is dependent upon the City's M&R policies as defined in the decision tree.

The first step in developing a cost-effective maintenance and rehabilitation strategy is to determine, assuming unlimited revenues, the maintenance "needs" of the network. The unconstrained budget needs module estimates maintenance needs over the next seven years will be approximately \$47.85 million, most of which would be spent in the first year. If the City follows that strategy, the citywide average network PCI will increase to 84 by FY 2022/2023. If, however, no maintenance is applied over the next seven years, the roads will deteriorate, and the network PCI will drop to 67. Table 7 below shows the level of expenditures suggested, assuming an unconstrained budget.

Table 7: Summary of Results from an Unconstrained Needs Analysis

Fiscal Year	Network	16/ 17	17/ 18	18/ 19	19/ 20	20/ 21	21/ 22	22/ 23	Total
Budget Needs (\$M)	Network	22.13	6.91	5.67	6.30	3.36	2.13	1.35	47.85
Rehabilitation (\$M)	MPAH	10.06	5.21	3.21	3.80	0.83	1.96	1.25	26.32
	Local	8.39	1.57	2.11	2.39	2.43	0.04	0.00	16.93
Preventive Maintenance (\$M)	MPAH	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	Local	3.68	0.13	0.35	0.11	0.10	0.13	0.10	4.60
PCI with Treatment	MPAH	88	87	86	86	85	84	83	N/A
	Local	89	87	87	87	86	85	84	N/A
	Network	89	87	87	87	86	85	84	N/A
PCI without Treatment	Network	79	77	75	73	71	69	67	N/A

Of the \$47.85 million in needs shown in Table 7, \$4.60 million (approximately 10%) is earmarked for preventive maintenance. \$43.25 million or approximately 90% is allocated for the more costly rehabilitation treatments on the MPAH (\$26.32 million) and local roads (\$16.93 million). In addition, the first year requires expenditures of \$22.13 million or 46% of the total needs.



The expenditures of this scenario reflect “front loading” of maintenance repairs as deferring treatments will cost more later. However, very few agencies are able to fund all maintenance treatments in the first year. Nonetheless, this analysis helps to define the M&R work required and unfunded backlog for the next step. The roads in “Poor” to “Very Poor” condition that require the more costly repairs will be among those selected in the first year. Once these treatments are completed, those roads may not require another treatment during the analysis period.

FUNDING FOR PAVEMENT MAINTENANCE

Currently, the City expects to receive a total of \$18.30 million in the Capital Improvement Project (CIP) budget which is significantly lower than the \$28.61 million projected from the 2014 update. Table 8 below shows the City’s estimated pavement maintenance budget for the next seven years.

Table 8: Pavement Maintenance Budget for FY 2016/2017 to 2022/2023

Fiscal Year	16/ 17	17/ 18	18/ 19	19/ 20	20/ 21	21/ 22	22/ 23	Total
Estimated Budget (\$M)	2.50	1.85	2.50	2.85	2.85	2.85	2.90	18.30



BUDGET SCENARIOS

Having determined the maintenance needs of the road network, the next step in developing a cost-effective M&R strategy is to conduct several "*what-if analyses*". Using the budget scenario module, the impacts of various budget "scenarios" can be evaluated. The StreetSaver™ program projects the effects of the different scenarios on PCI and deferred maintenance. By examining the effects on these indicators, the advantages and disadvantages of different funding levels and maintenance strategies become clear. The following scenarios were performed for this report.

Scenario 1: Current Funding Level (\$18.30 M) – The projected current funding level for the next seven years is \$18.30 million which is significantly lower than the \$28.61 showed in the 2014 report. This funding scenario results in a five-point drop in the network PCI from 79 to 74 by the end of the analysis period. By fiscal year 2022/23, the deferred maintenance will increase from \$22.13 million to \$38.71 million. Appendix F shows the projected PCI and Appendix G shows the 7-year work plan under this funding scenario.

Scenario 2: Maintain Network PCI at 75 (\$21.25 M) – This scenario shows that it will take \$21.25 million to maintain the PCI at 75, which will keep the City eligible for Measure M2 funding. The deferred maintenance will increase from \$22.13 million to \$40.94 million.

Scenario 3: Maintain Current Network PCI at 79 (\$31.53 M) – To maintain the current network PCI of 79, the City will need to spend \$31.53 million over the next seven years. The deferred maintenance will decrease to \$20.27 million.

Scenario 4: Increase Network PCI by 1 Point (\$35.05 M) – A total budget of \$35.05 million is needed to increase the network PCI to 80 and maintain it at that level over the next seven years. The deferred maintenance will decrease to \$17.75 million over the analysis period.

Both Scenarios 3 and 4 are included for compliance with OCTA "Countywide Pavement Management Plan Guidelines", Chapter 3², 5d. Finally, note that an inflation factor of 3% was used for the analysis.



SCENARIO 1: CURRENT FUNDING LEVEL (\$18.30 M)

The City's current projected CIP budget is \$18.3 million for the next seven years. As can be seen below, this funding scenario results in an five-point drop in the network PCI to 74. By FY 2022/2023, 54.9% of the network will be in the "Very Good" and "Good" conditions, 42.1% in the "Fair" and "Poor" conditions, and 2.9% in the "Very Poor" condition category. The deferred maintenance will increase from \$22.13 million to \$38.71 million by FY 2022/2023. Table 9 and Figure 4 show the result of this scenario. Noted that the PCI will drop below 75 by FY 2021/22.

Table 9: Summary of Results for Scenario 1

Fiscal Year	Before Work	16/17	17/18	18/19	19/20	20/21	21/22	22/23	Total
Budget (\$M)	N/A	2.50	1.85	2.50	2.85	2.85	2.85	2.90	18.30
Rehabilitation (\$M)	N/A	2.20	1.55	2.20	2.55	2.55	2.55	2.60	16.20
Preventive Maintenance (\$M)	N/A	0.30	0.30	0.30	0.30	0.30	0.30	0.30	2.10
Deferred Maintenance (\$M)	22.13	17.77	20.26	23.73	26.50	26.96	28.19	38.71	N/A
PCI (Network)	78	80	78	77	76	76	75	74	N/A
PCI (MPAH)	79	80	79	78	76	76	74	73	N/A
PCI (Local)	79	80	79	77	76	76	75	74	N/A

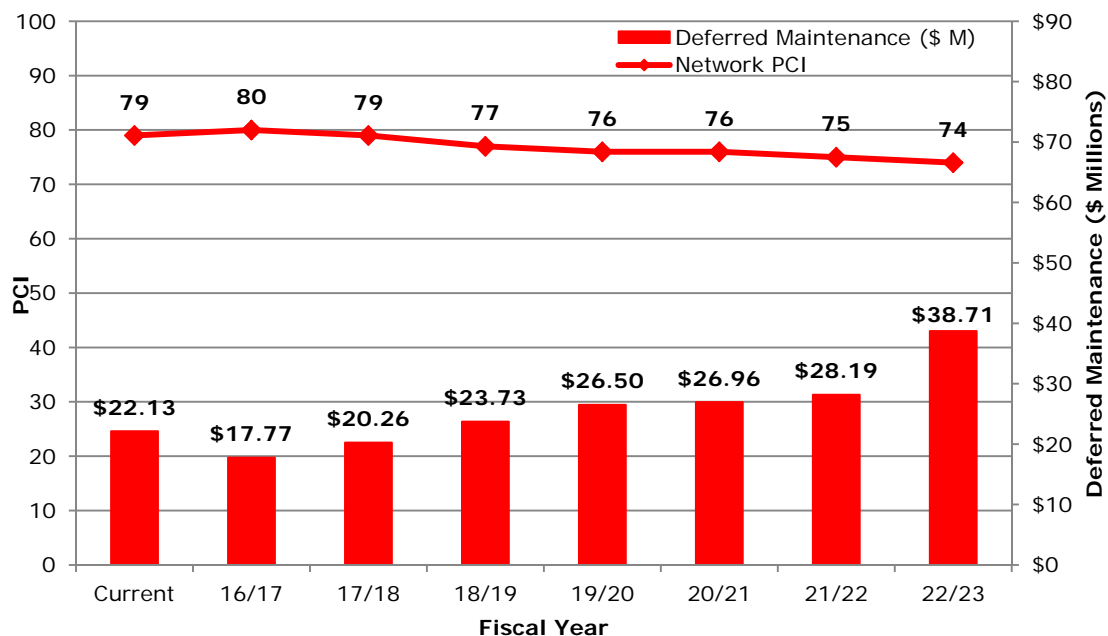


Figure 4: PCI vs. Deferred Maintenance for Scenario 1



SCENARIO 2: MAINTAIN PCI AT 75 (\$21.25 M)

This scenario indicated that \$21.25 million is required to maintain the PCI at 75, which will keep the City eligible for Measure M2 funding. By FY 2022/2023, 58.3% of the network will be in the "Very Good" and "Good" categories, 38.8% will fall under "Fair" and "Poor" categories, and 2.9% in the "Very Poor" category. The deferred maintenance will increase to \$40.94 million. The results are illustrated in Table 10 and Figure 5.

Table 10: Summary of Results for Scenario 2

Fiscal Year	Before Work	16/17	17/18	18/19	19/20	20/21	21/22	22/23	Total
Budget (\$M)	N/A	1.47	0.81	1.41	3.00	3.68	5.19	5.69	21.25
Rehabilitation (\$M)	N/A	1.44	0.79	1.40	2.62	3.10	4.16	4.52	18.04
Preventive Maintenance (\$M)	N/A	0.03	0.02	0.01	0.38	0.58	1.03	1.17	3.21
Deferred Maintenance (\$M)	22.13	18.80	22.12	25.79	30.01	32.75	34.12	40.94	N/A
PCI (Network)	79	79	77	76	75	75	75	75	N/A

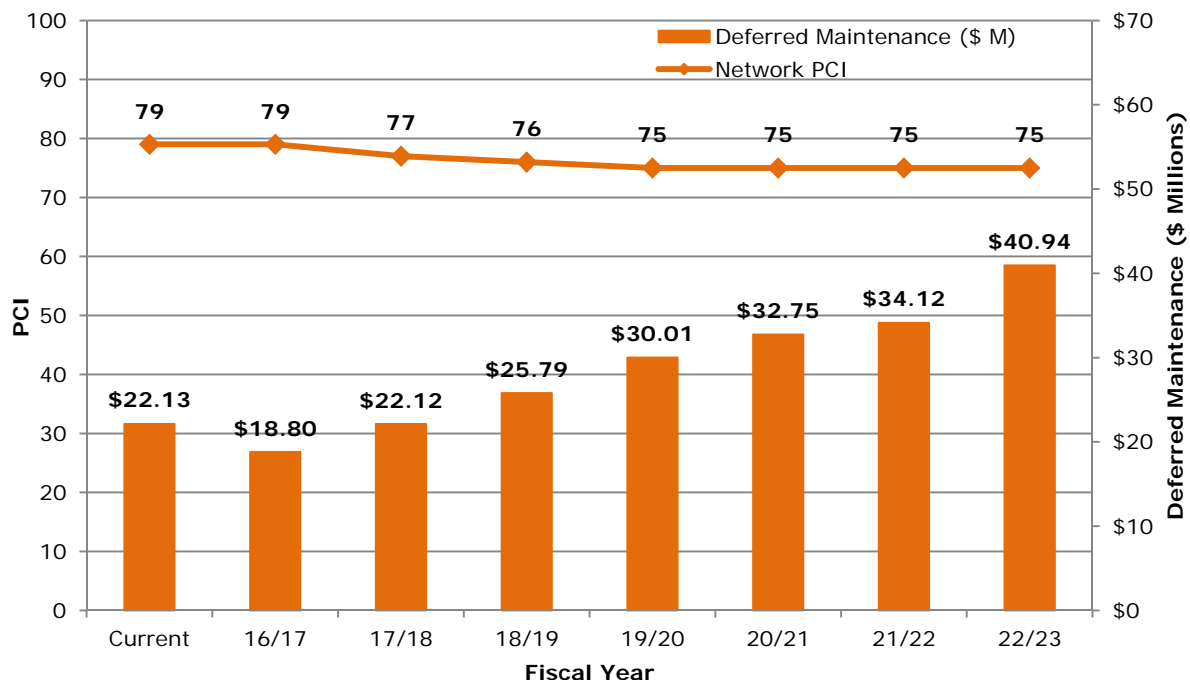


Figure 5: PCI vs. Deferred Maintenance for Scenario 2



SCENARIO 3: MAINTAIN CURRENT PCI AT 79 (\$31.53 M)

The City will need a total of \$31.53 million to maintain the PCI at 79 over the next seven years. By FY 2022/2023, 83.7% of the network will be within the “Very Good” to “Good” categories, 13.3% will fall under “Fair” and “Poor” categories, and approximately 2.9% in the “Very Poor” condition category. The deferred maintenance will decrease to \$20.27 million by FY 2022/2023. The results are illustrated in Table 11 and Figure 6.

Table 11: Summary of Results for Scenario 3

Fiscal Year	Before Work	16/17	17/18	18/19	19/20	20/21	21/22	22/23	Total
Budget (\$M)	N/A	1.47	3.20	4.41	6.00	4.58	5.18	6.69	31.53
Rehabilitation (\$M)	N/A	1.45	2.71	3.81	5.15	4.01	4.49	5.71	27.33
Preventive Maintenance (\$M)	N/A	0.02	0.49	0.60	0.85	0.57	0.69	0.98	4.20
Deferred Maintenance (\$M)	22.13	18.80	19.72	21.57	22.23	21.45	20.13	20.27	N/A
PCI (Network)	79	79	79	79	79	79	79	79	N/A

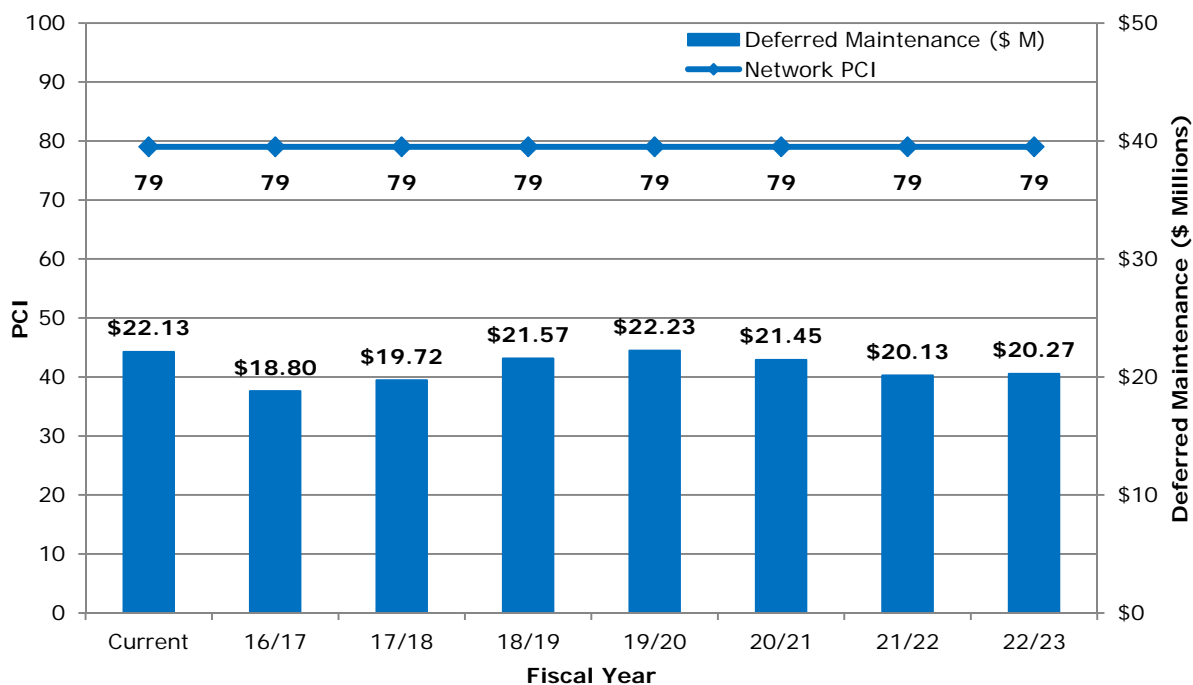


Figure 6: PCI vs. Deferred Maintenance for Scenario 3



SCENARIO 4: INCREASE PCI BY 1 POINT (\$35.05 M)

Approximately \$35.05 million over the next seven years will increase the current network PCI by one point. At the end of FY 2022/2023, 87.8% of the network will be in the "Very Good" and "Good" categories, 9.3% fall in the "Fair" and "Poor" categories, and 2.9% in the "Very Poor" condition. The deferred maintenance will decrease from \$22.13 million to \$17.75 million by FY 2022/2023. The results are illustrated in Table 12 and Figure 7.

Table 12: Summary of Results for Scenario 4

Fiscal Year	Before Work	16/17	17/18	18/19	19/20	20/21	21/22	22/23	Total
Budget (\$M)	N/A	2.47	4.21	5.41	5.50	4.58	5.69	7.19	35.05
Rehabilitation (\$M)	N/A	2.31	3.69	4.81	4.94	4.16	5.09	6.38	31.38
Preventive Maintenance (\$M)	N/A	0.16	0.52	0.60	0.56	0.42	0.60	0.81	3.67
Deferred Maintenance (\$M)	22.13	17.80	18.03	19.07	19.38	18.56	16.13	17.75	N/A
PCI (Network)	79	80	80	80	80	80	80	80	N/A

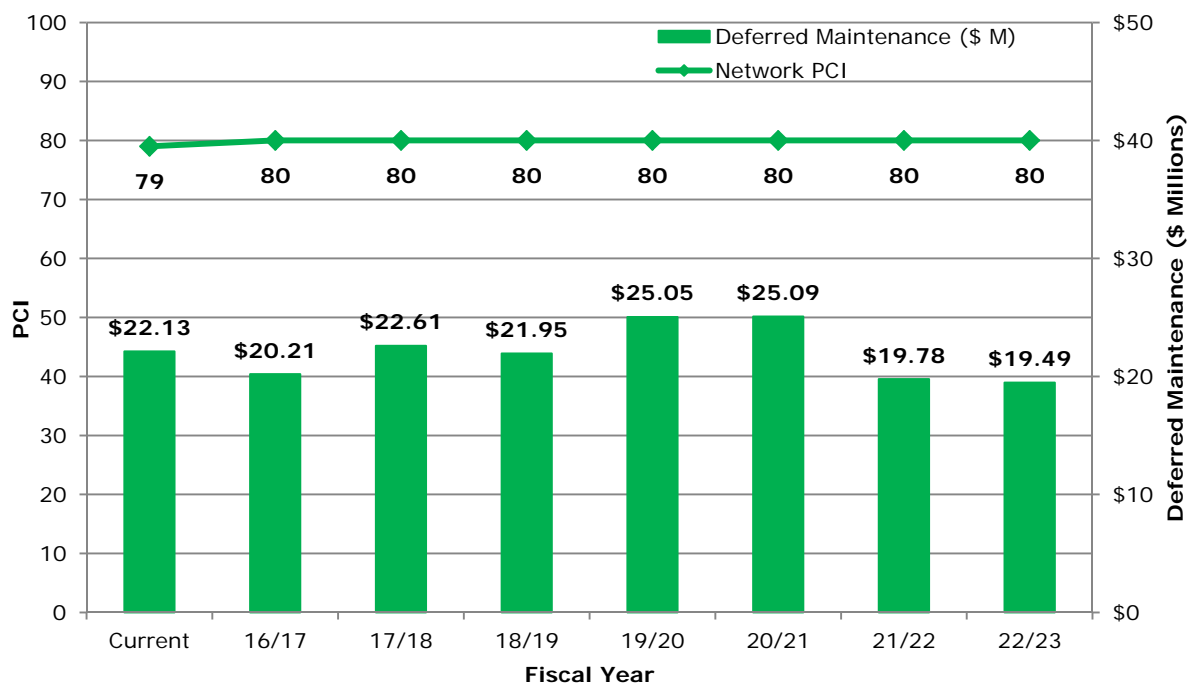


Figure 7: PCI vs. Deferred Maintenance for Scenario 4



SUMMARY

In Scenario 1, the City's projected seven-year CIP budget of \$18.30 million will drop the PCI to 74 by FY 2022/2023, which will jeopardize the 10% local matching funds. Scenario 2 reflects the funding level that will maintain the PCI at 75 and allow the City to remain eligible for Measure M2 funding. Scenario 3 shows that the City requires a total of \$31.53 million to maintain the current network PCI at 79 over next seven years. If the City wishes to increase the network PCI by one point (80), approximately \$35.05 million is needed over the next seven years.

Scenarios 1 and 2 show the significant increases in deferred maintenance. Figure 8 compares the PCI levels from different budget scenarios, and Figure 9 illustrates the change in deferred maintenance over time.

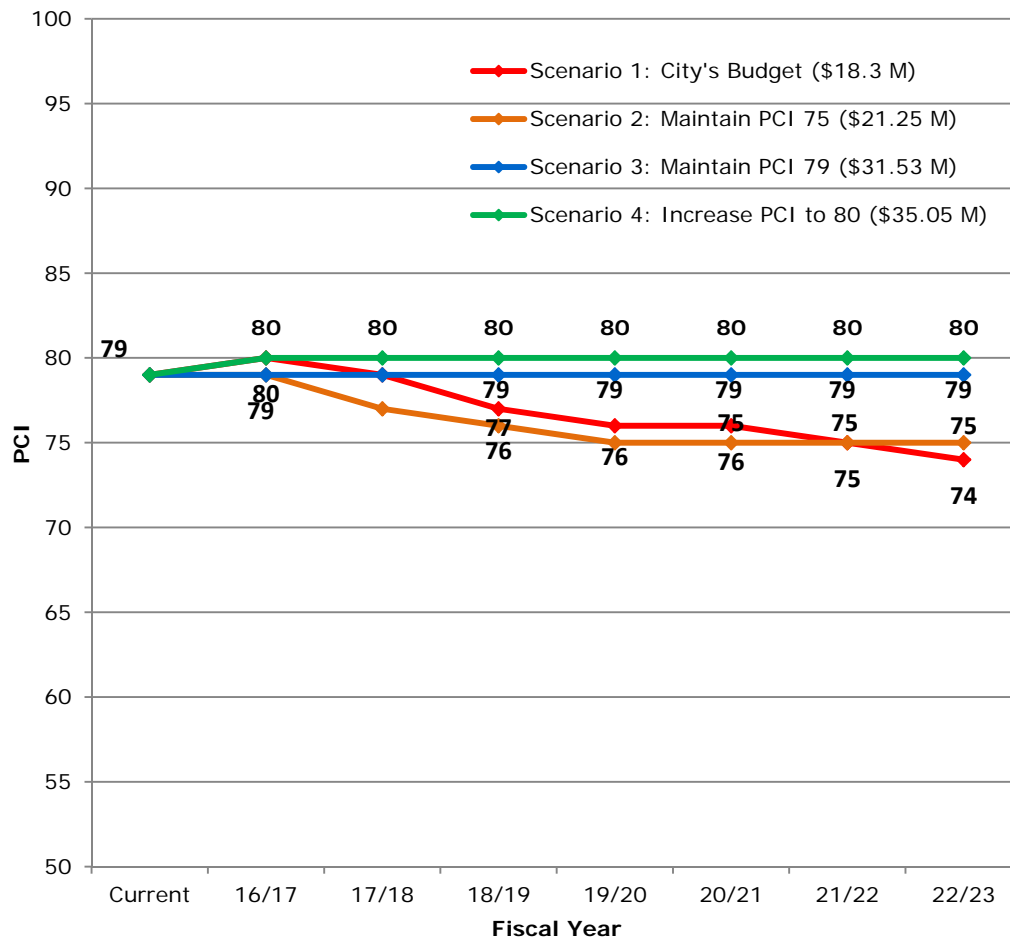


Figure 8: Projected PCIs by Scenario by Year

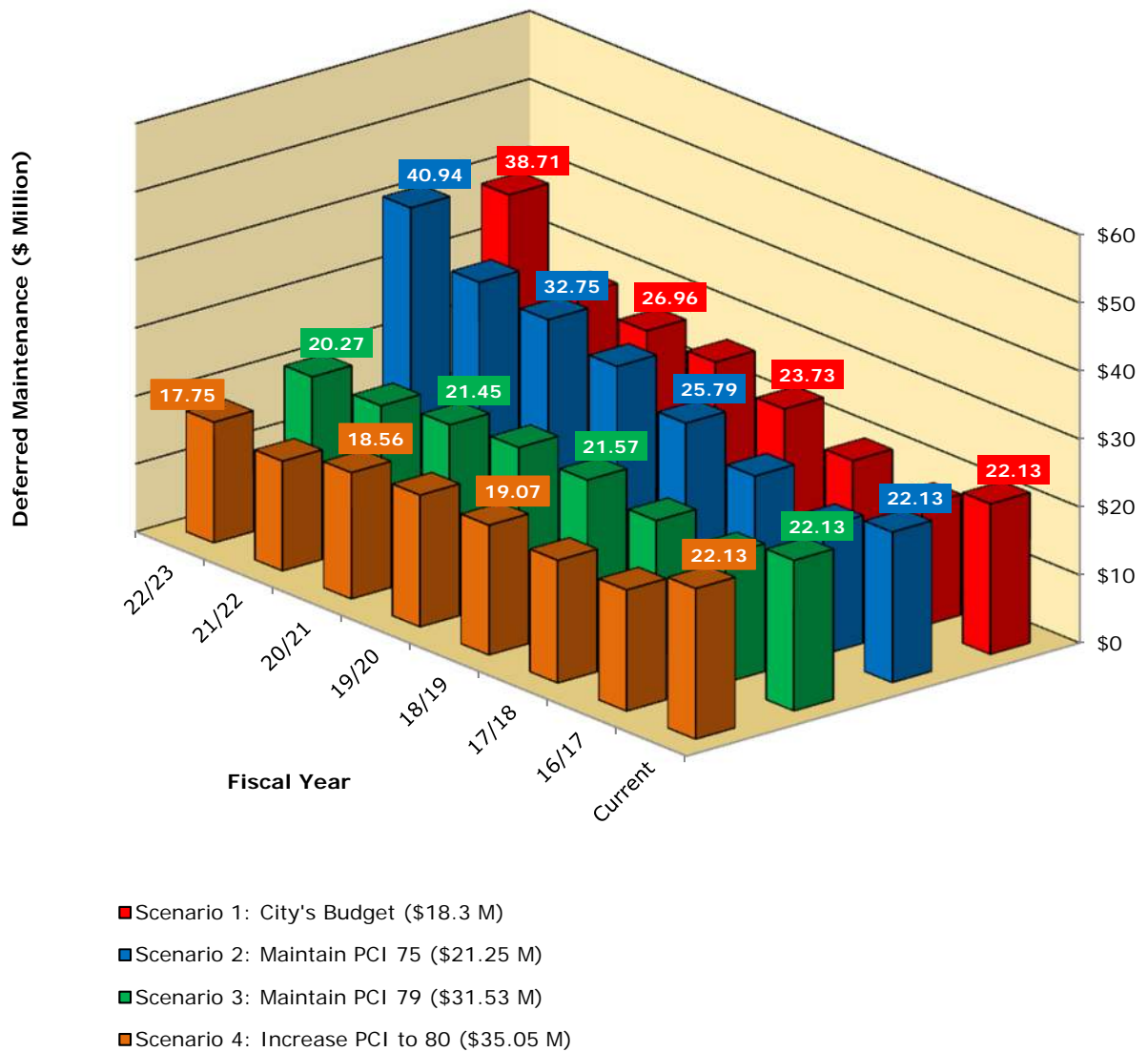


Figure 9: Deferred Maintenance by Scenario by Year



CONCLUSION

The City has a road system that is in overall “Good” condition with 73% of the network in “Very Good” and “Good” condition categories and a network average PCI of 79. Approximately 26% of the City’s road network currently falls into “Fair” and “Poor” conditions, and 1% in the “Very Poor” category. Based on the pavement condition, the City has met OCTA’s requirement for receiving a 10% reduction in the local matching fund by maintaining the overall network PCI above 75.

The estimated annual budget is \$18.30 million over the next seven years which is expected to decrease the network PCI to 74. This would mean the City would **not** be eligible for future Measure M2 funding by FY 2021/22, when the PCI drops below 75.

RECOMMENDATIONS

Therefore, NCE recommends that the City consider the following:

- Increase current funding level to a minimum of \$21.25 million over the next seven years, as recommended in Scenario 2 as this will maintain a PCI of 75 and allow the City to remain eligible for Measure M2 funding.
- Monitor construction costs and develop strategies to capitalize on any cost savings that may occur.
- Update the Pavement Management Plan as required by OCTA to ensure that Measure M2 funds are not jeopardized.
- Review and update the maintenance and rehabilitation (M&R) decision tree and the associated unit costs to reflect current construction methods as well as to keep the budget analysis results accurate. At the same time, all M&R construction activities should be updated in the City’s database biennially.
- Consider rehabilitation alternatives that “stretch the maintenance dollar” such as cold-in-place recycling (CIR), full depth reclamation (FDR), micro-surfacing.

Appendix A

Agency Submittal Checklist



ORANGE COUNTY TRANSPORTATION AUTHORITY

Pavement Management Plan

Agency Submittal Checklist

Local Agencies must submit the following to OCTA				Page(s) in PMP	Submitted
1.	Pavement management program certification (See Appendix A)			Appendix B	
2.	Quality Assurance/Quality Control plan (See Appendix B and Section 2.4)			Appendix C	
3.	Pavement Management data files in a form useable by OCTA (See Section 2.8)			CD	
4.	Average (weighted by area) Pavement Condition Index for:				
	i.	Entire pavement network		Page 1	
	ii.	Master Plan of Arterial Highways (MPAH) roadways		Page 1	
	iii.	Local Streets		Page 1	
5.	Projected PCI under existing funding levels over the next seven years for:				
	i.	Entire Pavement network		Appendix G	
	ii.	MPAH roadways		Appendix G	
	iii.	Local streets		Appendix G	
6.	Seven-year plan for road maintenance and rehabilitation based on current and projected budget, identifying street sections selected for treatment. Specific data to be submitted are:				
	i.	Street name		Appendix F	
	ii.	Limits of work		Appendix F	
	iii.	Lengths, widths		Appendix F	
	iv.	Pavement areas:			
		1.	Each street	Appendix F	
		2.	Total area for local streets	Appendix F	
		3.	Total area for MPAH roadways	Appendix F	
		4.	Total area for entire public streets network	Appendix F	
	v.	Functional classifications (i.e., MPAH or local street)		Appendix F	
	vi.	PCI and most recent date of inspection (See Section 2.2)		Appendix F	
	vii.	Type of treatment		Appendix F	
	viii.	Cost of treatment		Appendix F	
	ix.	Year of treatment		Appendix F	
7.	Alternative funding levels required to:				
	i.	Maintain existing average network PCI		Page 18	
	ii.	To improve average network PCI		Page 19	
8.	Backlog by year of unfunded pavement rehabilitation, restoration, reconstruction, and maintenance needs.			Page 13	
9.	Centerline mileage for MPAH, local streets, and total network.			Page 1	
10.	Percentage of total network in each of the five condition categories based in centerline miles.			Page 2	

Appendix B

Pavement Management Plan Certification



Appendix C

QA/QC Plan

(Redacted for Proposal)

Appendix D

Average (weighted by area) PCI for:

- i. Network Summary**
- ii. MPAH Network by Name**
- iii. Local Network by Name**
- iv. MPAH Network by PCI**
- v. Local Network by PCI**

(Only First Page of Report Included)



City of Buena Park
2016 PMP Update
PCI Listing - Summary

Functional Class	Centerline Miles	# of Sections	Pavement Area (sf)	% of Total Pavement Area	Weighted Average PCI
MPAH	61.0	262	11,383,315	33%	78
Local	130.3	801	22,639,854	67%	79
Total	191.3	1,063	34,023,169	100%	79

MPAH/ Local	Street Name	Section ID	From	To	Length (ft)	Width (ft)	Area (sf)	FC	Surface Type	# of Lanes	Current PCI	Date Inspected
MPAH	Artesia Boulevard WB	01	Dale St.	Indiana St.	1,480	30	44,400	A	A	2	85	1/22/2016
MPAH	Artesia Boulevard WB	02	Indiana	Stanton	1,160	30	34,800	A	A	2	83	1/22/2016
MPAH	Artesia Boulevard WB	03	Stanton	Beach	1,328	30	39,840	A	O	2	93	1/22/2016
MPAH	Artesia Boulevard WB	04	Beach	Western	1,280	30	38,400	A	A	2	94	1/22/2016
MPAH	Artesia Boulevard WB	05	Western	Rostrata Ave	781	30	23,430	A	A	2	94	1/22/2016
MPAH	Artesia Boulevard WB	06	Rostrata Ave	I5 NB Offramp	830	44	36,520	A	A	3	94	1/22/2016
MPAH	Artesia Boulevard WB	07	I5 NB Offramp	Knott Ave	1,066	51	54,366	A	A	2	80	1/22/2016
MPAH	Artesia Boulevard EB	01	Valley View	Industry Cir (W)	1,082	40	43,280	A	A	3	89	1/22/2016
MPAH	Artesia Boulevard EB	02	Industry Cir (W)	Altura	2,161	40	86,440	A	A	2	84	1/22/2016
MPAH	Artesia Boulevard EB	03	Altura Blvd.	Knott Ave.	2,107	40	84,280	A	A	3	73	1/22/2016
MPAH	Artesia Boulevard EB	04	Knott Ave.	I5 NB Offramp	1,066	51	54,366	A	A	3	90	1/22/2016
MPAH	Artesia Boulevard EB	05	I5 NB Offramp	Rostrata Ave	830	44	36,520	A	A	3	94	1/22/2016
MPAH	Artesia Boulevard EB	06	Rostrata Ave	Western Ave	781	30	23,430	A	A	2	94	1/22/2016
MPAH	Artesia Boulevard EB	07	Western	Beach	1,280	30	38,400	A	A	2	94	1/22/2016
MPAH	Artesia Boulevard EB	08	Beach Blvd.	Stanton Ave.	1,328	30	39,840	A	O	2	93	1/22/2016
MPAH	Artesia Boulevard EB	09	Stanton Ave.	Indiana St. (E)	1,330	30	39,900	A	A	2	75	1/22/2016
MPAH	Artesia Boulevard EB	10	Indiana St.	Dale St.	915	30	27,450	A	A	2	92	1/22/2016
MPAH	Ball Road	01	Valley View	Brenda	1,060	18	19,080	A	A	1	94	1/22/2016
MPAH	Ball Road	02	Brenda	Holder	1,570	13	20,410	A	A	1	94	1/22/2016
MPAH	Ball Road EB	01	Holder	ECL	600	34	20,520	A	A	2	80	1/22/2016
MPAH	Ball Road WB	01	ECL	Holder	1,180	34	40,120	A	A	2	82	1/22/2016
MPAH	Beach Boulevard NB	01	SCL	Crescent Ave	1,400	45	63,000	A	A	4	67	1/21/2016
MPAH	Beach Boulevard NB	02	Crescent Ave	La Palma Ave	2,800	47	131,600	A	A	4	59	1/21/2016
MPAH	Beach Boulevard NB	03	La Palma Ave	Azalea Dr	2,600	45	117,000	A	A	4	60	1/21/2016
MPAH	Beach Boulevard NB	04	Azalea Dr	SR 91 FWY	815	50	40,750	A	A	3	70	1/21/2016
MPAH	Beach Boulevard NB	05	SR 91 FWY	Orangethorpe Ave	1,060	50	53,000	A	A	3	67	1/21/2016
MPAH	Beach Boulevard NB	06	Orangethorpe Ave	9th St	2,310	40	92,400	A	A	3	91	1/21/2016
MPAH	Beach Boulevard SB	01	9th St	Orangethorpe Ave	2,310	40	92,400	A	A	3	76	1/21/2016
MPAH	Beach Boulevard SB	02	Orangethorpe Ave	SR 91 FWY	1,060	50	53,000	A	A	3	74	1/21/2016
MPAH	Beach Boulevard SB	03	SR 91 FWY	Azalea Dr	815	50	40,750	A	A	3	67	1/21/2016
MPAH	Beach Boulevard SB	04	Azalea Dr	La Palma Ave	2,600	45	117,000	A	A	4	65	1/21/2016
MPAH	Beach Boulevard SB	05	La Palma Ave	Crescent Ave	2,800	45	126,000	A	A	4	62	1/22/2016
MPAH	Beach Boulevard SB	06	Crescent Ave	SCL	1,400	45	63,000	A	A	4	59	1/21/2016
MPAH	Cerritos Avenue WB	01	ECL	Holder	660	28	18,480	A	C	2	55	1/19/2016
MPAH	Cerritos Avenue WB	02	Holder	Diane	860	28	24,080	A	A	2	58	1/19/2016
MPAH	Cerritos Avenue WB	03	Diane	WCL	1,520	28	42,560	A	A	2	50	1/19/2016
MPAH	Commonwealth Avenue EB	01	Auto Center Drive	Beach	1,090	38	41,420	A	A	2	85	1/19/2016

Appendix E

Work History

Name	Section ID	From	To	FC	Length (ft)	Width (ft)	Area (sf)	Treatment	Treatment Date
La Palma Avenue WB	03	Stanton	Beach	A	1,250	41	51,250	MILL AND THIN OVERLAY	7/8/2014
Valley View Street NB	12	Caballero	Artesia	A	2,500	40	100,000	ARHM Overlay	8/1/2014
Aragon Circle	01	Orangethorpe	End	R	1,380	48	66,240	ARHM Overlay	9/1/2014
Descanso Circle	01	W. End	Descanso Avenue	R	360	50	18,000	ARHM Overlay	9/1/2014
Maple Drive	01	Locust	End	R	410	25	10,250	ARHM Overlay	11/1/2014
Knollwood Court	01	Pebble Beach	End	R	120	36	4,320	ARHM Overlay	11/1/2014
Alley	01	S. End	Maple	R	1,100	20	22,000	ARHM Overlay	11/1/2014
Pebble Beach Drive	01	St Andrews	End	R	590	36	21,240	ARHM Overlay	11/1/2014
Maple Drive	02	Stanton	Locust	R	790	37	29,230	ARHM Overlay	11/1/2014
Bach Circle	01	Beethoven	End	R	240	32	7,680	ARHM Overlay	11/1/2014
Brahms Circle	01	Beethoven	End	R	240	32	7,680	ARHM Overlay	11/1/2014
Alley	14	Dale	E. End	R	850	20	17,000	ARHM Overlay	11/1/2014
Schubert Circle	01	Handel	End	R	760	32	24,320	ARHM Overlay	11/1/2014
Verdi Drive	01	Handel	Whitaker	R	810	32	25,920	ARHM Overlay	11/1/2014
Beethoven Drive	01	Verdi	Schubert	R	820	32	26,240	ARHM Overlay	11/1/2014
Chopin Drive	01	Verdi	Schubert	R	820	32	26,240	ARHM Overlay	11/1/2014
Handel Drive	01	Verdi	Dale	R	1,012	36	36,432	ARHM Overlay	11/1/2014
Dale Frontage	04	Planetary	End	R	250	26	6,500	SLURRY SEAL	6/1/2015
Beach Blvd Fr	01	Cameron Dr	Elliot Green	R	1,350	24	32,400	SLURRY SEAL	6/1/2015
Dale Frontage	05	Venus	S. End	R	600	26	15,600	SLURRY SEAL	6/1/2015
Mercury Drive	01	Crescent	End	R	1,200	36	43,200	SLURRY SEAL	9/1/2015
Mango Way	01	Lime	Mulberry	R	950	25	23,750	SLURRY SEAL	9/1/2015
Mulberry Avenue	01	Lime	Maple	R	1,000	25	25,000	SLURRY SEAL	9/1/2015
Larch Circle	01	Locust	End	R	410	25	10,250	SLURRY SEAL	9/1/2015
Lime Circle	01	Locust	E. End	R	410	25	10,250	SLURRY SEAL	9/1/2015
Linden Circle	01	Locust	End	R	410	25	10,250	SLURRY SEAL	9/1/2015
Planetary Drive	01	Mercury	Dale	R	1,090	36	39,240	SLURRY SEAL	9/1/2015
Cameron Drive	01	Beach	Country Club	R	2,280	36	82,080	SLURRY SEAL	9/1/2015
Jupiter Drive	01	Mars	End	R	370	33	12,210	SLURRY SEAL	9/1/2015
Neptune Drive	01	Mars	Dale	R	510	36	18,360	SLURRY SEAL	9/1/2015
Polaris Drive	01	Mars	End	R	320	33	10,560	SLURRY SEAL	9/1/2015
Venus Drive	01	Mars	Dale	R	560	32	17,920	SLURRY SEAL	9/1/2015
Galaxy Circle	01	Mercury	End	R	650	36	23,400	SLURRY SEAL	9/1/2015
Saturn Drive	01	Planetary	End	R	380	33	12,540	SLURRY SEAL	9/1/2015
Argyle Drive	01	Beach	Cameron	R	2,030	36	73,080	SLURRY SEAL	9/1/2015
Fox Hills Avenue	01	Country Club	Somerset	R	1,270	32	40,640	SLURRY SEAL	9/1/2015
Somerset Drive	01	Country Club	Kenwood	R	530	33	17,490	SLURRY SEAL	9/1/2015
Somerset Drive	02	Fox Hills	St Andrews	R	1,100	32	35,200	SLURRY SEAL	9/1/2015
Burlingame Drive	02	Malvern	Oakmont	R	750	32	24,225	SLURRY SEAL	9/1/2015
St Andrews Avenue	03	Sunnybrook	Los Coyotes	R	650	37	24,050	SLURRY SEAL	9/1/2015
Locust Drive	01	Crescent	Maple	R	1,120	37	41,440	SLURRY SEAL	9/1/2015
Lime Circle	02	Mulberry	Locust	R	470	25	11,750	SLURRY SEAL	9/1/2015
Mars Drive	01	Neptune	Venus	R	260	32	8,320	SLURRY SEAL	9/1/2015
Mars Drive	02	Planetary	Neptune	R	750	36	27,000	SLURRY SEAL	9/1/2015
Fox Hills Avenue	04	Somerset	Los Coyotes	R	1,270	32	40,640	SLURRY SEAL	9/1/2015

Name	Section ID	From	To	FC	Length (ft)	Width (ft)	Area (sf)	Treatment	Treatment Date
Sunnybrook Avenue	02	Somerset	St Andrews	R	710	32	22,720	SLURRY SEAL	9/1/2015
Franklin Street	02	Rostrata	Western	R	710	36	25,560	ARHM Overlay	1/1/2016
Fillmore Drive	03	Western	Grand	R	1,240	27	33,480	ARHM Overlay	1/1/2016
Franklin Street	03	Western	Beach	R	1,280	37	47,360	ARHM Overlay	1/1/2016
Jackson Way	02	Western	Grand	R	1,250	33	41,250	ARHM Overlay	1/1/2016
Total Square Feet Repaired							1,401,757		

Functional Classification Definitions	
A	Arterials
R	Residentials

Appendix F

Projected PCI under Existing Funding Levels over the Next Seven Years

- i. Network Summary
- ii. MPAH Network by Name
- iii. Local Network by Name

(Only First Page of Report Included)



City of Buena Park
2016 PMP Update
Projected PCI - Summary

Functional Classification	Current	16/17	17/18	18/19	19/20	20/21	21/22
MPAH	78	80	78	77	76	76	75
Local	79	80	79	78	76	76	74
Network PCI	79	80	79	77	76	76	75



City of Buena Park
2016 PMP Update
Projected PCI - Summary

22/23
74
73
74

MPAH/ Local	Street Name	Section ID	From	To	Length (ft)	Width (ft)	Area (sf)	Current PCI	Projected PCI						
									16/17	17/18	18/19	19/20	20/21	21/22	22/23
MPAH	Artesia Boulevard EB	01	Valley View	Industry Cir (W)	1,082	40	43,280	89	88	86	84	82	79	77	75
MPAH	Artesia Boulevard EB	02	Industry Cir (W)	Altura	2,161	40	86,440	84	85	83	81	79	77	74	72
MPAH	Artesia Boulevard EB	03	Altura Blvd.	Knott Ave.	2,107	40	84,280	73	72	70	68	100	91	89	87
MPAH	Artesia Boulevard EB	04	Knott Ave.	I5 NB Offramp	1,066	51	54,366	90	90	89	87	86	84	83	82
MPAH	Artesia Boulevard EB	05	I5 NB Offramp	Rostrata Ave	830	44	36,520	94	94	91	88	86	84	82	79
MPAH	Artesia Boulevard EB	06	Rostrata Ave	Western Ave	781	30	23,430	94	93	90	87	85	83	81	79
MPAH	Artesia Boulevard EB	07	Western	Beach	1,280	30	38,400	94	93	90	87	85	83	81	79
MPAH	Artesia Boulevard EB	08	Beach Blvd.	Stanton Ave.	1,328	30	39,840	93	92	89	87	85	84	82	81
MPAH	Artesia Boulevard EB	09	Stanton Ave.	Indiana St. (E)	1,330	30	39,900	75	74	72	70	68	100	91	89
MPAH	Artesia Boulevard EB	10	Indiana St.	Dale St.	915	30	27,450	92	91	88	86	84	82	79	77
MPAH	Artesia Boulevard WB	01	Dale St.	Indiana St.	1,480	30	44,400	85	84	82	80	78	76	74	71
MPAH	Artesia Boulevard WB	02	Indiana	Stanton	1,160	30	34,800	83	83	80	78	76	74	72	69
MPAH	Artesia Boulevard WB	03	Stanton	Beach	1,328	30	39,840	93	92	89	87	85	84	82	81
MPAH	Artesia Boulevard WB	04	Beach	Western	1,280	30	38,400	94	93	90	87	85	83	81	79
MPAH	Artesia Boulevard WB	05	Western	Rostrata Ave	781	30	23,430	94	93	90	87	85	83	81	79
MPAH	Artesia Boulevard WB	06	Rostrata Ave	I5 NB Offramp	830	44	36,520	94	93	90	87	85	83	81	79
MPAH	Artesia Boulevard WB	07	I5 NB Offramp	Knott Ave	1,066	51	54,366	80	79	76	73	70	100	91	89
MPAH	Ball Road	01	Valley View	Brenda	1,060	18	19,080	94	93	90	88	85	83	81	79
MPAH	Ball Road	02	Brenda	Holder	1,570	13	20,410	94	93	90	88	85	83	81	79
MPAH	Ball Road EB	01	Holder	ECL	600	34	20,520	80	81	78	76	74	72	70	67
MPAH	Ball Road WB	01	ECL	Holder	1,180	34	40,120	82	83	80	78	76	74	72	69
MPAH	Beach Boulevard NB	01	SCL	Crescent Ave	1,400	45	63,000	67	68	100	91	89	87	85	83
MPAH	Beach Boulevard NB	02	Crescent Ave	La Palma Ave	2,800	47	131,600	59	60	57	55	52	49	46	43
MPAH	Beach Boulevard NB	03	La Palma Ave	Azalea Dr	2,600	45	117,000	60	100	91	89	87	85	83	82
MPAH	Beach Boulevard NB	04	Azalea Dr	SR 91 FWY	815	50	40,750	70	71	69	66	64	61	100	91
MPAH	Beach Boulevard NB	05	SR 91 FWY	Orangethorpe Ave	1,060	50	53,000	67	68	66	63	61	58	100	91
MPAH	Beach Boulevard NB	06	Orangethorpe Ave	9th St	2,310	40	92,400	91	92	100	91	89	87	85	83
MPAH	Beach Boulevard SB	01	9th St	Orangethorpe Ave	2,310	40	92,400	76	77	100	91	89	87	85	83
MPAH	Beach Boulevard SB	02	Orangethorpe Ave	SR 91 FWY	1,060	50	53,000	74	75	73	71	68	66	100	91
MPAH	Beach Boulevard SB	03	SR 91 FWY	Azalea Dr	815	50	40,750	67	68	66	63	61	58	100	91
MPAH	Beach Boulevard SB	04	Azalea Dr	La Palma Ave	2,600	45	117,000	65	100	91	89	87	85	83	82
MPAH	Beach Boulevard SB	05	La Palma Ave	Crescent Ave	2,800	45	126,000	62	63	61	58	55	52	49	46
MPAH	Beach Boulevard SB	06	Crescent Ave	SCL	1,400	45	63,000	59	60	57	55	52	49	46	43
MPAH	Cerritos Avenue WB	01	ECL	Holder	660	28	18,480	55	56	54	51	48	45	42	39
MPAH	Cerritos Avenue WB	02	Holder	Diane	860	28	24,080	58	59	57	54	51	49	46	43
MPAH	Cerritos Avenue WB	03	Diane	WCL	1,520	28	42,560	50	51	48	45	42	39	35	31
MPAH	Commonwealth Avenue EB	01	Auto Center Drive	Beach	1,090	38	41,420	85	84	82	80	78	76	74	71
MPAH	Commonwealth Avenue EB	02	Beach	Stanton	1,240	40	49,600	67	66	64	61	59	56	53	50
MPAH	Commonwealth Avenue EB	03	Stanton	Indiana	1,290	40	51,600	88	87	85	83	81	79	76	74
MPAH	Commonwealth Avenue EB	04	Indiana	Dale	1,320	40	52,800	77	77	75	73	71	68	100	91
MPAH	Commonwealth Avenue EB	05	Dale St	ECL	880	32	28,366	84	85	83	81	79	77	74	72
MPAH	Commonwealth Avenue WB	01	Dale	Indiana	1,320	40	52,800	75	75	73	71	68	100	91	89

Appendix G

Seven-Year Plan for Road Maintenance and Rehabilitation based on Current and Projected Budget

- i. MPAH Network**
- ii. Local Network**

(Only First Page of Report Included)

MPAH/ Local	Street Name	Section ID	From	To	Length (ft)	Width (ft)	Area (sf)	Current PCI	Date Inspected	Treatment	Treatment Cost	Treatment Year
MPAH	Beach Boulevard NB	03	La Palma Ave	Azalea Dr	2600	45	117000	60	1/21/2016	4" ARHM OVERLAY W/ DIGOUTS	\$ 650,000	2016
MPAH	Beach Boulevard SB	04	Azalea Dr	La Palma Ave	2600	45	117000	65	1/21/2016	4" ARHM OVERLAY W/ DIGOUTS	\$ 650,000	2016
MPAH	Crescent Avenue WB	07	Knott Ave	San Pablo	1440	26	37440	67	1/20/2016	2" ARHM OVERLAY	\$ 75,504	2016
MPAH	Crescent Avenue WB	09	Holder	San Carlos	1570	24	37680	67	1/20/2016	2" ARHM OVERLAY	\$ 75,988	2016
MPAH	Dale Avenue NB	05	Carnation	N CDS	1420	30	42600	66	12/11/2015	2" ARHM OVERLAY	\$ 85,910	2016
MPAH	Holder Street NB	02	Myra	Ball	1020	18	18360	67	1/27/2016	2" ARHM OVERLAY W/ DIGOUTS	\$ 41,310	2016
MPAH	La Mirada Boulevard WB	01	Beach	Alondra	1700	40	68000	71	1/18/2016	2" ARHM OVERLAY	\$ 137,133	2016
MPAH	La Palma Avenue EB	06	Knott	El Monte	1350	40	54000	67	1/14/2016	2" ARHM OVERLAY	\$ 108,900	2016
MPAH	Orangethorpe Avenue WB	04	Stanton	Beach	1270	50	63500	70	1/19/2016	2" ARHM OVERLAY	\$ 128,058	2016
MPAH	Valley View Street NB	11	Orangethorpe	Caballero	2650	40	106000	48	1/15/2016	4" ARHM OVERLAY W/ DIGOUTS	\$ 588,889	2016
MPAH	Valley View Street SB	06	Los Ranchos	Lincoln	1480	40	59200	65	1/15/2016	2" ARHM OVERLAY W/ DIGOUTS	\$ 133,200	2016
MPAH	Beach Boulevard NB	01	SCL	Crescent Ave	1400	45	63000	67	1/21/2016	2" ARHM OVERLAY W/ DIGOUTS	\$ 141,750	2017
MPAH	Beach Boulevard NB	06	Orangethorpe Ave	9th St	2310	40	92400	91	1/21/2016	4" ARHM OVERLAY W/ DIGOUTS	\$ 513,333	2017
MPAH	Beach Boulevard SB	01	9th St	Orangethorpe Ave	2310	40	92400	76	1/21/2016	4" ARHM OVERLAY W/ DIGOUTS	\$ 513,333	2017
MPAH	Crescent Avenue EB	02	Valley View Ave	San Carlos	980	24	23520	67	1/20/2016	2" ARHM OVERLAY W/ DIGOUTS	\$ 52,920	2017
MPAH	Knott Avenue NB	09	Caballero	Eighth	1411	34	47974	68	1/26/2016	2" ARHM OVERLAY W/ DIGOUTS	\$ 107,942	2017
MPAH	Knott Avenue SB	02	Eighth	Caballero	1411	34	47974	72	1/26/2016	2" ARHM OVERLAY	\$ 96,748	2017
MPAH	La Palma Avenue WB	06	El Monte	Knott	1350	40	54000	67	1/14/2016	2" ARHM OVERLAY W/ DIGOUTS	\$ 121,500	2017
MPAH	Valley View Street NB	03	Lincoln	Los Ranchos	1480	44	65120	67	1/14/2016	2" ARHM OVERLAY W/ DIGOUTS	\$ 146,520	2017
MPAH	Valley View Street SB	05	Crescent	Los Ranchos	1200	40	48000	67	1/15/2016	2" ARHM OVERLAY W/ DIGOUTS	\$ 108,000	2017
MPAH	Crescent Avenue WB	10	San Carlos	Valley View	980	24	23520	71	1/20/2016	2" ARHM OVERLAY W/ DIGOUTS	\$ 52,920	2018
MPAH	Knott Avenue SB	03	Caballero	Orangethorpe	1500	40	60000	73	1/26/2016	2" ARHM OVERLAY	\$ 121,000	2018
MPAH	La Palma Avenue WB	07	Knott	La Fiesta	1350	37	49950	71	1/14/2016	2" ARHM OVERLAY W/ DIGOUTS	\$ 112,388	2018
MPAH	Orangethorpe Avenue EB	08	Beach	Stanton	1270	52	66040	73	1/19/2016	2" ARHM OVERLAY	\$ 133,181	2018
MPAH	Orangethorpe Avenue EB	09	Stanton	Indiana	930	30	27900	74	1/19/2016	2" ARHM OVERLAY	\$ 56,265	2018
MPAH	Rosecrans Avenue EB	01	Emery Ranch Rd	700' E/O Signal @ County Park	2338	40	93520	39	1/18/2016	4" ARHM OVERLAY W/ DIGOUTS	\$ 519,556	2018
MPAH	Stanton Avenue SB	10	Page St	Larkspur	1951	30	58530	71	1/13/2016	2" ARHM OVERLAY W/ DIGOUTS	\$ 131,693	2018
MPAH	Valley View Street SB	01	Orangethorpe	Trinidad	1690	36	60840	69	1/15/2016	2" ARHM OVERLAY W/ DIGOUTS	\$ 136,890	2018
MPAH	Artesia Boulevard EB	03	Altura Blvd.	Knott Ave.	2107	40	84280	73	1/22/2016	2" ARHM OVERLAY W/ DIGOUTS	\$ 189,630	2019
MPAH	Dale Street SB	10	La Palma	Buena Park Downtown (S)	950	35	33250	73	12/12/2015	2" ARHM OVERLAY W/ DIGOUTS	\$ 74,813	2019
MPAH	La Palma Avenue EB	03	San Rafael	San Marino	1530	37	56610	74	1/14/2016	2" ARHM OVERLAY W/ DIGOUTS	\$ 127,373	2019
MPAH	Orangethorpe Avenue WB	01	W/Edge I5 Overpass	Kass Dr	446	41	18286	77	1/19/2016	2" ARHM OVERLAY	\$ 36,877	2019
MPAH	Orangethorpe Avenue WB	08	Knott	Sandburg	1830	50	91500	72	1/18/2016	2" ARHM OVERLAY W/ DIGOUTS	\$ 205,875	2019
MPAH	Stanton Avenue NB	01	SCL	Crescent	1280	39	49920	80	1/13/2016	4" ARHM OVERLAY W/ DIGOUTS	\$ 277,333	2019
MPAH	Stanton Avenue NB	15	Beach	Stanton	150	31	4650	80	1/13/2016	2" ARHM OVERLAY	\$ 9,378	2019
MPAH	Stanton Avenue SB	14	Crescent	Beach	1280	39	49920	69	1/13/2016	4" ARHM OVERLAY W/ DIGOUTS	\$ 277,333	2019
MPAH	Stanton Avenue SB	15	Stanton	Beach	150	39	5850	75	1/13/2016	4" ARHM OVERLAY W/ DIGOUTS	\$ 32,500	2019
MPAH	Valley View Street NB	06	San Ysidro Cir	La Palma Ave	750	35	26250	71	1/15/2016	2" ARHM OVERLAY W/ DIGOUTS	\$ 59,063	2019
MPAH	Artesia Boulevard EB	09	Stanton Ave.	Indiana St. (E)	1330	30	39900	75	1/22/2016	2" ARHM OVERLAY W/ DIGOUTS	\$ 89,775	2020
MPAH	Artesia Boulevard WB	07	I5 NB Offramp	Knott Ave	1066	51	54366	80	1/22/2016	2" ARHM OVERLAY W/ DIGOUTS	\$ 122,324	2020
MPAH	Commonwealth Avenue WB	01	Dale	Indiana	1320	40	52800	75	1/15/2016	2" ARHM OVERLAY W/ DIGOUTS	\$ 118,800	2020
MPAH	Crescent Avenue EB	08	Western	Beach	1960	32	62720	59	1/20/2016	4" ARHM OVERLAY W/ DIGOUTS	\$ 348,444	2020
MPAH	Crescent Avenue EB	09	Beach	Stanton	500	34	17000	39	1/20/2016	4" ARHM OVERLAY W/ DIGOUTS	\$ 94,444	2020
MPAH	Crescent Avenue EB	10	Stanton	Mercury	1470	32	47040	70	1/20/2016	4" ARHM OVERLAY W/ DIGOUTS	\$ 261,333	2020



Fee Schedule

Per the RFP requirements, NCE's fee proposal which includes staffing and estimated hours and our team's hourly rate sheets, are enclosed under separate cover in a sealed envelope.

FY 2017/18							
Task Description	Hourly Breakdown by Personnel					Direct Costs	Total Cost
	Lisa Senn Project Mgr (\$150/hr)	Margot Yapp QC/QA Mgr (\$225/hr)	Narut Leehacharoenkul Project Engr (\$130/hr)	Field Technicians (\$95/hr)	Clerical (\$70/hr)		
1. Kickoff & Progress Meetings	16		12			\$ 340	\$ 4,300
3. Update Maintenance & Rehabilitation History	2		16			\$ 120	\$ 2,500
4. Pavement Condition Surveys	4	4	8	64	4	\$ 18,300	\$ 27,200
5. Budgetary Analysis	8	4	40			\$ 100	\$ 7,400
6. Final Report & OCTA Submittal	4	2	16		8	\$ 310	\$ 4,000
Totals	34	10	92	64	12	\$ 19,170	\$ 45,400
Optional Tasks							
2. Software Needs Assessment	8	4	8			\$ 245	\$ 4,144
<i>Database Conversion</i>						\$ 16,831	\$ 16,831
<i>Software License (estimated)</i>						\$ 2,925	\$ 2,925
7. GIS Linking	4		32		8	\$ 3,080	\$ 8,400
Totals	12	4	40		8	\$ 23,080	\$ 32,300

Assumptions:

Task 1 includes 1 kickoff mtg and two additional progress meetings.

Task 2 includes database conversion if software other than PAVER is selected. A one-year software license is included.

Task 3 assumes that M&R history data for 2016 & 2017 will be entered.

Task 4 assumes all MPAH and 1/3 of locals. Approximate total for project = 150 centerline miles

Task 5 assumes Budget Scenarios as outlined by OCTA's M2 Guidelines will be performed.

Direct costs include subconsultant, travel, reproduction etc.

FY 2018/19							
Task Description	Hourly Breakdown by Personnel					Direct Costs	Total Cost
	Lisa Senn Project Mgr (\$155/hr)	Margot Yapp QC/QA Mgr (\$230/hr)	Narut Leehacharoenkul Project Engr (\$134/hr)	Field Technicians (\$97/hr)	Clerical (\$72/hr)		
1. Kickoff & Progress Meetings	4		4			\$ 344	\$ 1,500
Totals	4		4				\$ 1,500

Assumptions:

Task 1 includes 1 meeting.

An annual escalation of 3% is included.

FY 2019/20							
Task Description	Hourly Breakdown by Personnel					Direct Costs	Total Cost
	Lisa Senn Project Mgr (\$160/hr)	Margot Yapp QC/QA Mgr (\$235/hr)	Narut Leehacharoenkul Project Engr (\$138/hr)	Field Technicians (\$100/hr)	Clerical (\$74/hr)		
1. Kickoff & Progress Meetings	16		12			\$ 360	\$ 4,576
3. Update Maintenance & Rehabilitation History	2		16			\$ 127	\$ 2,655
4. Pavement Condition Surveys	4	4	8	64	4	\$ 19,414	\$ 28,794
5. Budgetary Analysis	8	4	40			\$ 106	\$ 7,846
6. Final Report & OCTA Submittal	4	2	16		8	\$ 329	\$ 4,239
Totals	34	10	92	64	12	\$ 20,338	\$ 48,112

Assumptions:

Task 1 includes 1 kickoff mtg and two additional progress meetings.

Task 3 assumes that M&R history data for 2018 & 2019 will be entered.

Task 4 assumes all MPAH and 1/3 of locals. Approximate total for project = 150 centerline miles

Task 5 assumes Budget Scenarios as outlined by OCTA's M2 Guidelines will be performed.

Direct costs include subconsultant, travel, reproduction etc.

SCHEDULE OF CHARGES 2017 – PAVEMENT MANAGEMENT PROJECTS

PROFESSIONAL SERVICES

Principal.....	\$225/hour
Associate	\$195/hour
Senior	\$150/hour
Project.....	\$130/hour
Staff.....	\$115/hour

TECHNICAL SERVICES

Senior Construction Manager*	\$130/hour
Senior Designer	\$135/hour
Senior Technician/Construction Inspector*	\$120/hour
CAD Technician	\$110/hour
Senior Field Scientist	\$115/hour
Field Scientist	\$95/hour
Project Administrator	\$95/hour
Field/Engineering Technician	\$90/hour
Technical Word Processing	\$80/hour
Clerical	\$70/hour

CONTRACT LABOR

From time to time, NCE retains outside professional and technical labor on a temporary basis to meet peak workload demands. Such contract labor will be charged at regular Schedule charges.

LITIGATION SUPPORT

Expert testimony in depositions, hearings, mediations, and trials will be charged at 300% of the above rates.

EQUIPMENT

Plotter Usage.....	(separate fee schedule)
Truck	\$100/day
Automobile.....	IRS Standard Mileage Rate+ 15%
Falling Weight Deflectometer Testing	\$3,500/Day
Coring	\$4,500/Day
Environmental Equipment.....	(separate fee schedule)

OUTSIDE SERVICES

Rental of equipment not ordinarily furnished by NCE and all other costs such as special printing, photographic work, travel by common carrier, subsistence, subcontractors, etc.cost+ 15%

COMMUNICATION/ REPRODUCTION

In-house costs for long-distance telephone, faxing, postage, printing and copying project labor charges x 5%

TERMS

Billings are payable upon presentation and are past due 30 days from invoice date. A finance charge of 1.5% per month, or the maximum amount allowable by law, will be charged on past-due accounts. NCE makes no warranty, either expressed or implied, as to its findings, recommendations, specifications, or professional advice except that they are prepared and issued in accordance with generally accepted professional practice.

*Rate will be adjusted for prevailing wages required on Public Works projects in the State of California.

märker geospatial Schedule of Charges 2017

The list of hourly rates for all proposed Marker Geospatial project staff may be used for any additional work outside this scope. Fees will include all direct and indirect costs.

Professional and Technical Services

Staff Categories		Rates
Profession Associate / Technical Advisor	PA	\$145
Project Manager	PM	\$120
Staff Engineer	SE	\$115
GIS/Software/Technical Specialist	TS	\$100
Data/Program Analyst	DA	\$95
GIS / CAD Technician	GC	\$90
Field / Survey Technician	FT	\$80
Administration / Clerical	AD	\$55

Field Services Resources

Automated Pavement Inspection /LiDAR Mapping\$3,500/Day

Field Inventory Road right-of-way Surveys\$1,200/Day
(inventory mapping / condition assessments)

Terms

These rates will hold valid for remainder of 2016 and the entire 2017 calendar year. A cost of living increase will be applied to rates for each accumulative year. Outside services and consultants and/or any additional onsite expense include costs + 15%.

Billings are payable upon presentation of invoice and are due 30 days from invoice date. Accounts over 30 days past invoice date will be subject to a monthly service charge of 1.5% (18% per year) on the unpaid balance.

Please note there will be a 3% cost of living increase to the rates for years 2018, and 2019.

City of Garden Grove

INTER-DEPARTMENT MEMORANDUM

To: Scott C. Stiles From: Teresa Pomeroy
Dept.: City Manager Dept.: City Clerk
Subject: Receive and file minutes Date: 5/23/2017
 from the meeting held on
 May 9, 2017. (*Action Item*)

Attached are the minutes from the meeting held on May 9, 2017, recommended to be received and filed as submitted or amended.

ATTACHMENTS:

Description	Upload Date	Type	File Name
Minutes	5/17/2017	Backup Material	cc-min_05_09_2017.pdf

MINUTES

GARDEN GROVE CITY COUNCIL

Regular Meeting

Tuesday, May 9, 2017

Community Meeting Center
11300 Stanford Avenue, Garden Grove, CA 92840

CONVENE MEETING

At 6:33 p.m., Mayor Jones convened the meeting in the Council Chamber.

ROLL CALL PRESENT: (7) Mayor Jones, Council Members Beard,
O'Neill, T. Nguyen, Bui, Klopfenstein, K.
Nguyen

ABSENT: (0) None

INVOCATION

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

COMMUNITY SPOTLIGHT: RECOGNITION OF THE 2017 COLLEGE GRADUATES FOR
THEIR SPECIAL ACHIEVEMENT IN HIGHER EDUCATION (F: 52.3)

ORAL COMMUNICATIONS

Speakers: Billy Le, Beatrice Jones, John Holm, Jayne Rapp, Mary Lou Bolanos,
Sharon Logan, Karen Harris, Christine Stoner, Maureen Blackmun,
Charles Mitchell, Nicholas Dibs

RECESS

At 7:20 p.m., Mayor Jones recessed the meeting.

RECONVENE

At 7:23 p.m., Mayor Jones reconvened the meeting with all Council Members present.

ADOPTION OF A PROCLAMATION HONORING THE NAMING OF THE DEPARTMENT OF VETERANS AFFAIRS HEALTH CARE SYSTEM IN LONG BEACH, CALIFORNIA, THE "TIBOR RUBIN VA MEDICAL CENTER" (F: 83.1)

It was moved by Council Member O'Neill, seconded by Council Member K. Nguyen that:

A Proclamation be honored in the naming of the Department of Veterans Affairs Health Care System in Long Beach, California, the Tibor Rubin VA Medical Center.

The motion carried by a 7-0 vote as follows:

Ayes: (7) Beard, O'Neill, T. Nguyen, Bui, Klopfenstein, K.
Nguyen, Jones
Noes: (0) None

AUTHORIZE THE ISSUANCE OF A PURCHASE ORDER TO FUEL EQUIPMENT SERVICES, INC. TO REPLACE THREE (3) FUEL DISPENSERS (F: 60.4)

It was moved by Council Member O'Neill, seconded by Council Member K. Nguyen that:

The Finance Director be authorized to issue a purchase order in the amount of \$83,770 to Fuel Equipment Services, Inc. for the purchase and installation of three (3) fuel dispensers.

The motion carried by a 7-0 vote as follows:

Ayes: (7) Beard, O'Neill, T. Nguyen, Bui, Klopfenstein, K.
Nguyen, Jones
Noes: (0) None

APPROVAL OF AN AMENDED AND RESTATED EXCLUSIVE NEGOTIATION AGREEMENT BETWEEN THE CITY OF GARDEN GROVE AND KAM SANG COMPANY FOR PROPERTY LOCATED ON THE NORTHWEST CORNER OF TWINTREE AVENUE AND HARBOR BOULEVARD, GARDEN GROVE, CALIFORNIA (F: A-55.232)

It was moved by Council Member O'Neill, seconded by Council Member K. Nguyen that:

An Amended and Restated Exclusive Negotiation Agreement with Kam Sang Company to develop an approximate 9.08 acre site of real property located on the northwest corner of Twintree Avenue and Harbor Boulevard, Garden Grove, California, be approved; and

The City Manager be authorized to make minor modifications, execute pertinent documents and amend or extend the Exclusive Negotiating Agreement period.

The motion carried by a 7-0 vote as follows:

Ayes: (7) Beard, O'Neill, T. Nguyen, Bui, Klopfenstein, K.
Nguyen, Jones
Noes: (0) None

AWARD OF CONTRACT TO FEHR AND PEERS TO PROVIDE CONSULTANT SERVICES
FOR THE DOWNTOWN PARKING MANAGEMENT STRATEGIC PLAN
(F: 55-Fehr and Peers)

This matter was considered later in the meeting.

RECEIVE AND FILE MINUTES FROM THE MEETING HELD ON APRIL 25, 2017
(F: Vault)

It was moved by Council Member O'Neill, seconded by Council Member K. Nguyen that:

The minutes from the meeting held on April 25, 2017, be received and filed.

The motion carried by a 7-0 vote as follows:

Ayes: (7) Beard, O'Neill, T. Nguyen, Bui, Klopfenstein, K.
Nguyen, Jones
Noes: (0) None

WARRANTS (F: 60.5)

It was moved by Council Member O'Neill, seconded by Council Member K. Nguyen that:

Payroll Warrants 181052 through 181092; Direct Deposits D310829 through D311529; and Wires W2354 through W2357; be approved as presented in the warrant register submitted, and have been audited for accuracy and funds are available for payment thereof by the Finance Director; and

Regular Warrants 621945 through 622180; 622181 through 622784; 622785 through 622952; Wires W1848 through W1850; Wires W1851 through W1854; and Direct Deposits W622180 through W622783; be approved as presented in the warrant register submitted, and have been audited for accuracy and funds are available for payment thereof by the Finance Director.

The motion carried by a 7-0 vote as follows:

Ayes: (7) Beard, O'Neill, T. Nguyen, Bui, Klopfenstein, K.
Nguyen, Jones
Noes: (0) None

AWARD OF CONTRACT TO FEHR AND PEERS TO PROVIDE CONSULTANT SERVICES
FOR THE DOWNTOWN PARKING MANAGEMENT STRATEGIC PLAN
(F: 55-Fehr and Peers)

Following staff presentation and City Council discussion, it was moved by Council Member Beard, seconded by Council Member Bui that:

A contract be awarded to Fehr and Peers to provide parking consultant services in the amount not to exceed \$80,459 in Fiscal Year 2017-2018;

The City Manager or designee be authorized to execute the Professional Services Agreement on behalf of the City, and to make minor modifications as appropriate; and

The City Manager or designee be authorized to sign amendments to the agreement, including the authorization to increase the compensation to a higher amount, provided sufficient funds are available.

The motion carried by a 7-0 vote as follows:

Ayes: (7) Beard, O'Neill, T. Nguyen, Bui, Klopfenstein, K.
Nguyen, Jones
Noes: (0) None

PUBLIC HEARING – ADOPTION OF A RESOLUTION APPROVING THE ISSUANCE OF
BONDS BY THE CALIFORNIA PUBLIC FINANCE AUTHORITY (CALPFA) FOR THE
BENEFIT OF 10632 BOLSA AVENUE, LP TO ASSIST WITH THE FINANCING FOR THE
EXISTING 78-UNIT MULTIFAMILY AFFORDABLE HOUSING DEVELOPMENT,
SYCAMORE COURT LOCATED AT 10632 BOLSA AVENUE, GARDEN GROVE,
CALIFORNIA

Following staff presentation and City Council discussion:

Mayor Jones declared the Public Hearing open and asked if anyone wished to address the City Council on the matter.

Speakers: None.

With no response from the audience, Mayor Jones closed the Public Hearing.

It was moved by Mayor Jones, seconded by Council Member K. Nguyen that:

Resolution No. 9415-17, entitled a Resolution of the City Council of the City of Garden Grove approving the issuance by the California Public Finance Authority of Multifamily Housing Revenue Bonds in an aggregate principal amount not to exceed \$15,000,000 for the purpose of financing or refinancing the acquisition, rehabilitation, improvement and equipping of the Sycamore Court Apartments project and certain other matters relating thereto, be adopted.

The motion carried by a 7-0 vote as follows:

Ayes: (7) Beard, O'Neill, T. Nguyen, Bui, Klopfenstein, K.
Nguyen, Jones
Noes: (0) None

PUBLIC HEARING – SPRING 2017 WEED/RUBBISH ABATEMENT NOTICES
(F: 113.1)

Following staff presentation, Mayor Jones declared the Public Hearing open and asked if anyone wished to address the City Council on the matter.

Speaker: Brad Weber, owner of parcels located at 13931 Newhope Street and 11461 Westminster Avenue, stated his properties had been in receivership and he was unable to access the properties until recently. He requested an extension to allow him to clean up both parcels.

With no further response from the audience, Mayor Jones closed the Public Hearing.

After City Council discussion, it was moved by Council Member Beard, seconded by Mayor Jones that:

Staff be directed to proceed with the scheduled weed abatement for the parcel at 13321 Century Avenue; and that Mr. Weber be granted an additional two weeks to clear his parcels located at 13931 Newhope Street and 11461 Westminster Avenue, and if not cleared within two weeks to proceed with the abatement.

The motion carried by a 7-0 vote as follows:

Ayes: (7) Beard, O'Neill, T. Nguyen, Bui, Klopfenstein, K.
Nguyen, Jones
Noes: (0) None

ADOPTION OF A RESOLUTION APPROVING THE RELOCATION PLAN RELATED TO 10632 BOLSA AVENUE, LP'S PROPOSED 78-UNIT ACQUISITION/REHABILITATION AND AFFORDABLE HOUSING DEVELOPMENT, SYCAMORE COURT, LOCATED AT 10632 BOLSA AVENUE, GARDEN GROVE, CALIFORNIA

Following staff presentation and City Council discussion:

Resolution on an upcoming agenda as an action item in opposition to State Assembly Bill AB22. (F: 46.5)

Council Member Bui seconded the motion, noting that Naturalized Citizens of the United States take an oath not to become a member of the communist party. He commented that many people risked their lives to flee Vietnam's brutal oppression of the communist regime, and many Vietnamese Americans have family members living under the regime without the freedom that ensures peaceful dissent and religious choice. (F: 46.5)

The motion carried by a 7-0 vote as follows:

Ayes: (7) Beard, O'Neill, T. Nguyen, Bui, Klopfenstein, K.
Nguyen, Jones
Noes: (0) None

City Manager Stiles noted that the Police Department's Annual Report was provided to them at tonight's meeting, and the report will also be available on the City's website. He stated that the ceremony for renaming the Veteran's Hospital to the Tibor Rubin VA Medical Center will be held tomorrow, May 10, 2017, at 10:00 a.m. on 7th Street in Long Beach. He noted the passage of Senate Bill 1 for road rehabilitation to address deferred maintenance for local streets and roads will provide approximately \$1.225 million dollars in 2017/2018 and \$3.248 million in 2019/2020. He announced that on Friday, May 12, 2017, ACC-OC will be holding the 6th Annual Golden Hub Innovation Awards Luncheon, and Garden Grove's Police Department will be receiving an award for their work on the Homeless Task Force, and the Community and Economic Development Department will also be awarded for their work on Public Private Partnerships related to the Great Wolf Lodge.

CONVENE CLOSED SESSION

At 8:21 p.m., Mayor Jones announced that the City Council was going into Closed Session in the Founders Room to discuss the following matter:

Conference with Labor Negotiators

Pursuant to Government Code Section 54957.6(a)

City Designated Representative: Laura Stover, Human Resources Director

Employee Organization: International Association of Fire Fighters Garden Grove Local 2005

ORAL COMMUNICATIONS FOR CLOSED SESSION

Speakers: None

ADJOURN CLOSED SESSION

At 9:22 p.m., Mayor Jones adjourned Closed Session.

RECONVENE REGULAR MEETING

At 9:23 p.m., Mayor Jones reconvened the meeting in the Council Chamber with all Council Members present.

CLOSED SESSION REPORT

City Attorney Sandoval announced that there was no reportable action.

ADJOURNMENT

At 9:24 p.m., Mayor Jones adjourned the meeting. The next City Council Meeting will be held on Tuesday, May 23, 2017, at 5:30 p.m. at the Community Meeting Center, 11300 Stanford Avenue, Garden Grove, California.

Teresa Pomeroy, CMC
City Clerk

City of Garden Grove

INTER-DEPARTMENT MEMORANDUM

To:	Scott C. Stiles	From:	Teresa Pomeroy
Dept.:	City Manager	Dept.:	City Clerk
Subject:	Approval of warrants. (<i>Action Item</i>)	Date:	5/23/2017

Attached are the warrants recommended for approval.

ATTACHMENTS:

Description	Upload Date	Type	File Name
Warrants	5/18/2017	Cover Memo	CC_Warrants_5-23-17.pdf

181023	KEVIN MEJIA	(VOID)	-627.37	181093	LUIS Y MENDOZA AGUILAR	883.84
181094	JEFFREY WILKINS		7147.53	181095	KEVIN E MEJIA	627.37
181096	VOID	(VOID)	0.00	181097	MICHAEL J MC CLELLAN	22770.61
181098	KIMBERLY HUY		2897.31	181099	HIEN Q PHAM	2678.81
181100	CAROL E BECKLES		50.00	181101	STEPHANIE L KLOPFENSTEIN	279.18
181102	STEVE R SOLORIO		45.52	181103	JUDITH A MOORE	1844.55
181104	DIANE BELAIR		1526.42	181105	AMANDA M POLLOCK	1178.89
181106	JO ANNE M CHUNG		2158.94	181107	TIMOTHY E THRONE	458.25
181108	THOMAS E BUTTERS		2023.58	181109	CHRIS M VERES	3514.72
181110	ERIC M ESPINOZA		645.21	181111	ROBERT R MOUNGEY	290.87
181112	MICHAEL F ROCHA		1833.95	181113	KEVIN L RAY	640.40
181114	ADRIANNA M RODRIGUEZ		593.76	181115	JAVIER RODRIGUEZ	891.54
181116	DANIEL C MOSS		1740.40	181117	YUKIYOSHI NAKAGAWA	1396.23
181118	AUSTIN H POWELL		1679.53	181119	MELVIN P REED	782.12
181120	SOUHELIA K GOUNTOUMA		1489.26	181121	ANA E PULIDO	3202.76
181122	STEPHANIE AMBRIZ		185.49	181123	VALERIA J BARON	247.33
181124	DEANNA M CHUMACERO		1248.56	181125	STEVEN E GOMEZ	356.48
181126	ELI C KARIM		78.67	181127	PHILIP J SEYMOUR	171.10
181128	LUKE A STARK		143.13	181129	DANIEL ALVAREZ	482.46
181130	ISAAC DAVILA		392.85	181131	JULIAN TAPIA	330.11
181132	RANDY L TUCKER		776.67	181133	JOAN M CEPLIUS	814.96
181134	O.C.E.A. GENERAL		2413.56	181135	O.C.E.A.	1177.19
181136	COMMUNITY HEALTH CHARITI		50.00	181137	GARDEN GROVE POLICE ASSO	1470.00
D311528	KRIS C BEARD		355.42	D311529	PHAT T BUI	1.57
D311530	STEVEN R JONES		256.18	D311531	DIEDRE THU HA NGUYEN	326.88
D311532	KIM B NGUYEN		323.86	D311533	JOHN R O'NEILL	354.17
D311534	PAMELA M HADDAD		1432.86	D311535	SHAWN S PARK	1851.64
D311536	SCOTT C STILES		6243.43	D311537	MARIA A STIPE	5925.96
D311538	MEENA YOO		1860.68	D311539	DENISE KEHN	1955.56
D311540	MARITZA PIZARRO		1527.29	D311541	TERESA L POMEROY	2674.46
D311542	LIZABETH C VASQUEZ		1663.11	D311543	SHAUNA J CARRENO	1883.50
D311544	TERESA G CASEY		1258.71	D311545	VIRGINIA DELGADO	1275.40
D311546	DANNY HUYNH		3185.02	D311547	VILMA C KLOESS	1735.49
D311548	IVY LE		1748.04	D311549	TAMMY LE	1471.64
D311550	LINDA MIDDENDORF		2415.65	D311551	ROSALINDA MOORE	1231.42
D311552	MARIA A NAVARRO		2101.47	D311553	PHUONG VIEN T NGUYEN	2360.64
D311554	QUANG NGUYEN		2229.91	D311555	TINA T NGUYEN	1956.45
D311556	THYANA T PHI		2105.58	D311557	MARIA RAMOS	1986.18
D311558	TANYA L TO		1571.30	D311559	CUONG K TRAN	1941.38
D311560	ELAINE TRUONG		1271.28	D311561	THANH-NGUYEN VO	1619.73
D311562	SYLVIA GARCIA		1929.35	D311563	KINGSLEY C OKEREKE	4959.19
D311564	ANN CAO EIFERT		2590.96	D311565	HEIDI M JANZ	1893.42
D311566	CHRISTI C MENDOZA		515.71	D311567	DEBORAH A POWELL	1511.26
D311568	MARGARITA A ABOLA		1692.00	D311569	ELLIS EUN ROK CHANG	3652.87
D311570	JANET J CHUNG		1851.05	D311571	CLAUDIA FLORES	3019.31
D311572	RHONDA C KAWELL		2526.59	D311573	ROBERT W MAY	1276.24
D311574	SHAWNA A McDONOUGH		1387.67	D311575	ALEXANDER TRINIDAD	2182.64
D311576	LIGIA ANDREI		1300.02	D311577	ARIANA B BAUTISTA	1491.31

**** PAGE TOTAL = 170864.19

D311578	KAREN J BROWN	714.54	D311579	SUE J GULLEY	193.02
D311580	CORINNE L HOFFMAN	2196.70	D311581	JEFF N KURAMOTO	2079.09
D311582	CHELSEA E LUKAS	1446.24	D311583	EDWARD E MARVIN JR	1611.37
D311584	ANGELA M MENDEZ	1611.52	D311585	MONICA A NEELY	3957.67
D311586	JENNIFER L PETERSON	1689.04	D311587	ANH PHAM	1416.32
D311588	EVA RAMIREZ	1370.42	D311589	JAIME F CHAVEZ	1430.78
D311590	GARY F HERNANDEZ	1532.53	D311591	NEAL M MANALANSAN	1415.02
D311592	SANDRA E SEGAWA	3038.58	D311593	ALANA R CHENG	2185.09
D311594	LISA L KIM	3908.11	D311595	JAYME K AHLO	2195.16
D311596	SAEED R AMIRAZIZI	3315.97	D311597	MICHAEL G AUSTIN	2343.76
D311598	TODD C HARTWIG	2167.04	D311599	AARON J HODSON	1879.34
D311600	JERROLD R HOLSTEIN	901.31	D311601	DONALD E LUCAS	2513.70
D311602	DANIEL A WINDHAM	2324.98	D311603	ISABELLA C ZANDVLIET	1860.82
D311604	CHRISTOPHER CHUNG	2292.15	D311605	PAUL GUERRERO	2346.80
D311606	HUONG Q LY	217.97	D311607	LEE W MARINO	3346.40
D311608	MARIA L MEDRANO	1860.17	D311609	MARIA C PARRA	2260.09
D311610	ERIN WEBB	2716.58	D311611	GREG BLODGETT	2513.73
D311612	MONICA COVARRUBIAS	2496.51	D311613	GRACE E LEE	2186.27
D311614	AMEENAH ABU-HAMDIYYAH	1677.82	D311615	JULIE A ASHLEIGH	1731.83
D311616	RITA M CRAMER	1889.99	D311617	RALPH V HERNANDEZ	2012.45
D311618	JIMMY NGUYEN	1710.39	D311619	ROY N ROBBINS	2597.10
D311620	NIDA R WATKINS	2389.27	D311621	ALLISON D WILSON	1801.69
D311622	MICHAEL C BOS	2133.50	D311623	DANIEL J CANDELARIA	4000.23
D311624	KAMYAR DIBAJ	177.29	D311625	NICOLAS C HSIEH	2775.29
D311626	ROSEMARIE JACOT	1895.23	D311627	NAVIN B MARU	3180.22
D311628	MICHAEL F SANTOS	2176.58	D311629	MARK P UPHUS	3082.03
D311630	JOSE A VASQUEZ	2280.83	D311631	ANA G VERGARA NEAL	2072.72
D311632	DAI C VU	3365.64	D311633	KHANG L VU	2828.95
D311634	JOSHUA J ARIONUS	2163.96	D311635	JAN BERGER	1787.53
D311636	ROBERT P BERMUDEZ	2649.57	D311637	TIM P CANNON	2609.27
D311638	MYUNG J CHUN	2874.25	D311639	CARINA M DAN	247.66
D311640	RYAN H DAVIS	416.04	D311641	RONALD W DIEMERT	1745.00
D311642	CHRIS N ESCOBAR	2227.29	D311643	JASON A FERTAL	1922.78
D311644	ALEJANDRO GONZALEZ	2785.69	D311645	MICHAEL J GRAY	1071.78
D311646	LARRY GRIFFIN	2075.00	D311647	ROBERT ALAN HAENDIGES	1831.76
D311648	RYAN S HART	1850.73	D311649	ROBERT M HIGGINBOTHAM	1166.54
D311650	EDWARD A HUY	3107.25	D311651	VIDAL JIMENEZ	1960.02
D311652	SAMUEL K KIM	3595.69	D311653	BRENDA L LAI	415.32
D311654	SHAN L LEWIS	1612.49	D311655	REBECCA PIK KWAN LI	2954.59
D311656	SCOTT T LOWE	2536.86	D311657	DAVID MA'AE	1683.96
D311658	TYLER MEISLAHN	1680.66	D311659	JESSE K MONTGOMERY	2241.58
D311660	STEVEN J MOYA JR	1764.07	D311661	BASIL G MURAD	2989.86
D311662	KIRK L NATLAND	671.40	D311663	CORNELIU NICOLAE	2310.38
D311664	ANDREW I ORNELAS	1717.72	D311665	DAVID A ORTEGA	1814.93
D311666	CELESTINO J PASILLAS	2346.55	D311667	WILLIAM F PEARSON	2695.23
D311668	LES A RUITENSCHILD	3347.55	D311669	JONATHAN RUIZ	2099.30
D311670	MODESTO R SALDANA	1832.54	D311671	ALEXIS SANTOS	1348.31
D311672	ADRIAN M SARMIENTO	2636.99	D311673	ALBERT TALAMANTES JR	661.07

**** PAGE TOTAL = 198763.01

D311674	MINH K TRAN	1772.51	D311675	ALEJANDRO VALENZUELA JR	1035.17
D311676	ALEJANDRO N VALENZUELA	4839.06	D311677	KATHLEEN N VICTORIA	754.39
D311678	RONALD J WOLLAND	1442.38	D311679	VICTOR K YERGENSEN	1786.66
D311680	ALICE K FREGOSO	1651.89	D311681	RAQUEL K MANSON	2331.29
D311682	CAROLYN E MELANSON	1611.73	D311683	WILLIAM E MURRAY JR	5856.93
D311684	EMILY H TRIMBLE	1411.42	D311685	ALFRED J AGUIRRE	2647.80
D311686	ANTHONY U AGUIRRE	531.54	D311687	RODOLPHO M BECERRA	1628.83
D311688	HELEN L CAMDEN	738.93	D311689	EDGAR A CANO	644.45
D311690	ALBERT J CARRISOZA	1422.33	D311691	MARRAY R CHAPMAN	548.04
D311692	GABRIELA R CONTRERAS	1934.20	D311693	JULIE T COTTON	891.51
D311694	VINCENT L DE LA ROSA	1684.81	D311695	HECTOR M ESPINOZA	1461.14
D311696	ROBERT J FRANCO	645.21	D311697	MAURICIO S GARCIA	2138.50
D311698	GLORIA GAW	1854.20	D311699	RICHARD R GOSSELIN	2991.87
D311700	HERMILO HERNANDEZ	1355.17	D311701	DARNELL D JERRY	556.01
D311702	KEANU M KALOLO	1385.83	D311703	BRENT KAYLOR	1932.20
D311704	BEN A KOSKY	1554.12	D311705	MARK W LADNEY	2583.79
D311706	RAUL LEYVA	1930.32	D311707	ANTONIO R MARTIN	2057.21
D311708	ROBERT P MCLOGAN	519.46	D311709	KEVIN E MEJIA	627.37
D311710	RIGOBERTO MENDEZ	1793.92	D311711	JON A MIHAILA	364.39
D311712	STEVEN T ORTIZ	2783.79	D311713	RICHARD L PINKSTON	4646.99
D311714	BRADLEY J POINDEXTER	584.89	D311715	STEVE J TAUANU'U	1894.44
D311716	SUSAN VITALI	1100.97	D311717	STEPHANIE A WASINGER	741.31
D311718	JEFFREY G CANTRELL	1798.76	D311719	THOMAS C COUNTS	492.75
D311720	JAMES CUNNINGHAM	1866.98	D311721	EARNEST L DOMINGUEZ	759.62
D311722	JULIA ESPINOZA	1101.99	D311723	ALBERT R EURS II	1957.68
D311724	CECELIA A FERNANDEZ	1068.13	D311725	CONRAD A FERNANDEZ	890.14
D311726	JORGE GONZALEZ	1017.79	D311727	MICHAEL R GREENE	1730.35
D311728	RONALD D GUSMAN	840.31	D311729	GLORIA A HARO	1083.03
D311730	ERIC W JOHNSON	944.97	D311731	URIEL MACIAS	776.14
D311732	LUIS Y MENDOZA AGUILAR	861.05	D311733	KHUONG NGUYEN	1083.03
D311734	VIRGINIA NICHOLS	810.90	D311735	ALEJANDRO ORNELAS	1020.24
D311736	WILLIAM R PICKRELL	2286.23	D311737	CHRISTOPHER L RELEFORD	1338.63
D311738	DELFRADO C REYES	1083.03	D311739	RAFAEL ROBLES	1322.96
D311740	RODERICK THURMAN	1465.20	D311741	EVARISTO VERA	1501.83
D311742	RICHARD L WILLIAMS	1546.56	D311743	ANSELMO AGUIRRE	1719.07
D311744	CHRISTOPHER L ALLEN	1659.10	D311745	PHILLIP J CARTER	2180.46
D311746	RICK L DUVAL	2127.27	D311747	AARON R HANSEN	1551.26
D311748	PATRICIA CLAIR HAYES	2118.70	D311749	HUY HOA HUYNH	1916.13
D311750	BRYAN D KWIATKOWSKI	1310.00	D311751	BRANDON S NUNES	518.80
D311752	CHRISTOPHER B PRUDHOMME	349.92	D311753	ROLANDO QUIROZ	1326.01
D311754	TODD R REED	1402.79	D311755	ESTEBAN H RODRIGUEZ	510.21
D311756	RONALD E SANDIFORTH	1905.71	D311757	LUIS A TAPIA	2072.09
D311758	MICHAEL W THOMPSON	2754.65	D311759	SANTIAGO TRISTAN JR	629.85
D311760	WILLIAM J WHITE	1865.82	D311761	JEREMY J GLENN	444.12
D311762	JESSE GUZMAN	2143.67	D311763	BRETT A MEISLAHN	1651.44
D311764	MARK E MONSON	2107.38	D311765	STEPHEN D SUDDUTH	1382.00
D311766	TIMOTHY WALLINGFORD	3501.98	D311767	HILLARD J WILLIAMS	1085.36
D311768	ALBERT J HOLMON III	3148.20	D311769	ALLEN L SERNA	2170.17

**** PAGE TOTAL = 150869.43

D311770	VICTOR T BLAS	2281.17	D311771	FRANK X DE LA ROSA	1739.11
D311772	ERVIN DUBRUL	1860.03	D311773	JOSE GOMEZ	2143.75
D311774	BRENT W HAYES	2495.05	D311775	FRANK D HOWENSTEIN	2044.03
D311776	ALLEN G KIRZHNER	2947.57	D311777	KEON DONTRAY NELSON	1793.75
D311778	STEPHEN PORRAS	2275.36	D311779	JESSE VIRAMONTES	1330.16
D311780	JOHN ZAVALA	2027.61	D311781	VERONICA AVILA	488.55
D311782	JEFFREY P DAVIS	2012.42	D311783	NOELLE N KIM	1746.07
D311784	MISSY M MENDOZA	349.90	D311785	MARIE L MORAN	2781.68
D311786	KRISTY H THAI	1999.97	D311787	EDWARD D AMBRIZ GARCIA	296.77
D311788	JOSUE BARREIRO MENDOZA	351.82	D311789	NICHOLAS J BARRETT	80.85
D311790	ALEXIS R BAUTISTA-MOYANO	185.49	D311791	ALEJANDRA CAMARENA	265.00
D311792	RACHEL M CAMARENA	1678.04	D311793	RENE CAMARENA	1536.12
D311794	MARTI CARROLL	952.43	D311795	VICTORIA M CASILLAS	1635.65
D311796	CYNTHIA A CHEW	1698.85	D311797	GISELL L CRUZ	661.39
D311798	KENNETH E CUMMINGS	241.86	D311799	KEVIN J CUMMINGS	295.00
D311800	JEANETTE A DEMENECE	990.99	D311801	GRISELL V EVERASTICO	332.37
D311802	JARED D GARCIA	194.32	D311803	VANESSA L GARCIA	366.59
D311804	JACOB R GRANT	1756.09	D311805	CAROLINA HONSTAIN	450.70
D311806	KELLY L HOWENSTEIN	413.21	D311807	KIMBERLY HUY	4206.47
D311808	ANA C IZQUIERDO	470.87	D311809	MARITZA JIMENEZ	289.41
D311810	MARISSA D LOPEZ	20.76	D311811	JOHNNY LUNA	362.18
D311812	ELAINE M MA'AE	2004.62	D311813	JESUS MEDINA	1606.43
D311814	JUAN MEDINA	1826.21	D311815	NICHOLAS M MEDINA	326.59
D311816	MONSERRAT MENDOZA ALVARE	296.77	D311817	JOHN A MONTANCHEZ	3046.31
D311818	BRIANNA M MOORE	1006.66	D311819	KIRSTEN K NAKAISHI	111.45
D311820	GINA D NECCO	572.62	D311821	JACOB J NEELY	376.89
D311822	NOEL N NICHOLAS	1189.21	D311823	JENNIFER GODDARD NYE	2262.90
D311824	GABRIELA O'CADIZ-HERNAND	2362.54	D311825	LORI OCHOA	1691.52
D311826	CHRISTIAN PANGAN	494.09	D311827	JANET E PELAYO	2593.66
D311828	ARIELLE PICKRELL	413.68	D311829	SUGEIRY REYNOSO	2254.59
D311830	PAIGE L ROBINSON	453.83	D311831	MARINA Y ROMERO	1563.72
D311832	MONICA K ROMO	313.73	D311833	LARISSA E SANTOS	158.99
D311834	DANA MARIE SAUCEDO	2025.78	D311835	EMERON J SCHLUMPBERGER	878.41
D311836	KRISTOF A SIERRA	88.31	D311837	MIRANDA M TORRES	476.25
D311838	KENNETH P TRAVIS III	477.26	D311839	CLAUDIA VALDIVIA	2596.53
D311840	JEFFREY VAN SICKLE	1895.83	D311841	GABRIELA VARELA	534.97
D311842	JOSEFINA L VELAZQUEZ	560.46	D311843	DAISY O VENCES	393.25
D311844	JOSHUA VENCES	309.17	D311845	PAUL E VICTORIA	1285.69
D311846	DAVID M WILMES	111.28	D311847	CHERYLE LYNN EICHEL	780.68
D311848	LUCIA MEDINA-WHITTAKER	4969.16	D311849	SVETLANA MOURE	1125.70
D311850	THOMAS R SCHULTZ	2476.47	D311851	RANDY ABRAHAMSON	3656.97
D311852	ALBERTO ACOSTA	2384.58	D311853	ANTHONY R ACOSTA	3051.41
D311854	JOHN D BARANGER III	3296.53	D311855	LUCAS B BAUER	2558.21
D311856	BRADLEY D BELL	3974.16	D311857	JERRY R BRENEMAN	3401.25
D311858	GUY BROWN	2296.52	D311859	JOSE J CAMBEROS	2198.09
D311860	DANIEL L CLEARWATER	2386.45	D311861	YVES G CLERMONT	2509.08
D311862	JOE W CRAWFORD	2906.68	D311863	TIMOTHY A CRAWFORD	2742.27
D311864	JUSTIN D DOYLE	3357.16	D311865	MICHAEL G ECKHARDT JR	3516.51

**** PAGE TOTAL = 144197.49

D311866	DAVID W EDNOFF	4961.31	D311867	STEVE P FELLNER	1962.98
D311868	JAMES L GABBARD	3336.67	D311869	DREW R GARCIA	3426.06
D311870	JEFF W HANNA	1318.63	D311871	MATTHEW R HENSHAW	3469.42
D311872	MICHAEL L JACOBS	2247.73	D311873	WILLIAM R JAEGER	1588.06
D311874	SCOTT A KUHLMAN	2907.51	D311875	NICHOLAS A LERARIO	1808.01
D311876	COREY L LINDSAY	1468.42	D311877	NORMAN M LOVELY	4934.45
D311878	JOHN M MARQUEZ JR	2570.44	D311879	CHEYNE C MAULE	4486.24
D311880	TERRY A MCGOVERN JR	4941.35	D311881	SHANE D MELLE	2201.59
D311882	TRAVIS M MELLE	4297.54	D311883	MARK A MICKELSEN	3882.89
D311884	SON L NGUYEN	1963.89	D311885	THANH Q NGUYEN	4608.72
D311886	FREDERICK N NIBLO	3026.73	D311887	BRENT C PARDOEN	2246.77
D311888	MICHAEL KURT RIETH	2566.15	D311889	WADE E RUHMAN	3338.50
D311890	DENNIS L RUZICKA	3316.61	D311891	NICK R SCHAEFER	4248.79
D311892	SCOTT A SCHERER	2879.70	D311893	JEFFREY T SPARGUR	4188.38
D311894	MORRIS B SPELL	5020.64	D311895	WILLIAM S STROHM	5482.18
D311896	JUSTIN D TRAVER	3132.44	D311897	CHRISTOPHER B TRENHOLM	1800.71
D311898	JUSTIN TRUHILL	3157.30	D311899	MARIO G VALDERRAMA	2907.22
D311900	KEITH T VELOTTA	5106.22	D311901	DAVID S WALDSCHMIDT	2336.05
D311902	MARK S WEISS	2381.70	D311903	PAUL J WHITTAKER	7307.55
D311904	JOSEPH A WINGERT JR	2637.58	D311905	JASON R BLOMGREN	2521.16
D311906	MYLES A BURROUGHS	1385.54	D311907	DAVID M CARLSON	3190.96
D311908	PARKER W CARY	5431.05	D311909	JOSHUA A FELDMAN	4113.71
D311910	TIMOTHY D FISHER	4070.08	D311911	GARRET M FURUTA	2433.73
D311912	SHANE S HOWEY	2197.63	D311913	PETER M HUBER	3900.96
D311914	JORDAN R JEMIOLA	3045.85	D311915	JAYCEN R JUSTUS	3587.06
D311916	MATTHEW C KLEIBACKER	2343.46	D311917	ANTHONY L KNAACK	4574.84
D311918	JOSHUA D LEE	2904.30	D311919	DANIEL J MOORE	2797.29
D311920	GRANT A NOBLE	2744.59	D311921	ERIC S NORRDIN	3473.60
D311922	ANTHONY J PAGE	2707.88	D311923	ERIC M PALOMO	2665.83
D311924	ANDREW J ROACH	2285.99	D311925	RICHARD RONSTADT	2956.65
D311926	DAVID C SANCHEZ	1617.90	D311927	TIMOTHY N STOWE	2742.17
D311928	ERIC THORSON	2343.34	D311929	RYAN D VAN WIE	1717.27
D311930	GREGORY D WILLIAMS	1528.36	D311931	JEREMIE E YORKE	1927.45
D311932	NATHAN T BRADY	4282.15	D311933	BRYSON T DAHLHEIMER	1717.53
D311934	DAVID W DEPAUW	977.18	D311935	LISA S GUARDI	715.18
D311936	DON T NGUYEN	1690.78	D311937	NICHOLAS S SEELEY	143.13
D311938	JOSEPH I VALENZUELA	71.56	D311939	TIMOTHY S SAWYER	4964.97
D311940	TODD D ELGIN	4927.46	D311941	CAROLE A KANEGAE	2152.12
D311942	WILLIAM ALLISON	3051.65	D311943	KRISTEN A BACKOURIS	1490.11
D311944	SHARON S BAEK	1533.95	D311945	GENA M BOWEN	1183.75
D311946	JESENIA CAMPOS	1103.50	D311947	THOMAS R DARE	9355.44
D311948	HELENA ELSOUSOU	2341.87	D311949	ROBERT D FOWLER	3479.56
D311950	AI KELLY HUYNH	1763.93	D311951	CINDY S NAGAMATSU HANLON	1734.93
D311952	JEFFREY C NIGHTENGAL	3446.59	D311953	REYNA ROSALES	1441.53
D311954	CLAUDIA ALARCON	2807.31	D311955	PEDRO R ARELLANO	3070.53
D311956	TIMOTHY R ASHBAUGH	2686.17	D311957	ALFREDO R AVALOS	3078.66
D311958	CARLOS BAUTISTA JR	2319.81	D311959	RYAN S BERLETH	2126.17
D311960	SUMMER A BOGUE	1686.07	D311961	RYAN V BUSTILLOS	2582.41

**** PAGE TOTAL = 280597.78

D311962	ROBERT W CAMPBELL	3310.97	D311963	JEROME L CHEATHAM	2640.51
D311964	AARON J COOPMAN	2453.75	D311965	ADAM B COUGHRAN	3173.79
D311966	GARY L COULTER	2913.80	D311967	NATHANIEL D COX	2748.85
D311968	BRIAN D DALTON	1806.74	D311969	CHARLIE DANIELEY III	1673.68
D311970	NICHOLAS A DE ALMEIDA LO	2099.60	D311971	KEVIN DINH	2646.35
D311972	KARI A FLOOD	1839.68	D311973	MICHAEL E GERDIN	2063.42
D311974	JOSEPH P GROSS JR	2288.59	D311975	TROY HALLER	3153.96
D311976	ALLAN S HARRY	5127.01	D311977	BRIAN HATFIELD	2475.62
D311978	WILLIAM T HOLLOWAY	4006.50	D311979	GERALD F JORDAN	2507.63
D311980	KRISTOFER D KELLEY	2337.85	D311981	TIMOTHY P KOVACS	2836.38
D311982	AUSTIN C LAVERTY	2009.88	D311983	CHRISTOPHER LAWTON	2802.30
D311984	RAFAEL LOERA JR	2682.11	D311985	JON D LOFQUIST	1997.50
D311986	MATTHEW P MARCHAND	2845.06	D311987	BRYAN J MEERS	2433.30
D311988	JEREMY N MORSE	2049.15	D311989	MITCHEL S MOSSER	1968.85
D311990	AARON S NELSON	3474.31	D311991	ADAM C NIKOLIC	3215.25
D311992	JASON S PERKINS	4122.93	D311993	PHILLIP H PHAM	2257.18
D311994	DOUGLAS A PLUARD	3112.54	D311995	JOHN E REYNOLDS	3400.57
D311996	CHRISTOPHER M SHELREN	1924.51	D311997	GAREY D STAAL	2613.20
D311998	VINCENTE J VAICARO	2949.49	D311999	EDGAR VALENCIA	2916.45
D312000	DANIEL J VILLEGAS	3348.16	D312001	JONATHAN B WAINWRIGHT	3169.68
D312002	CHRISTOPHER A WASINGER	2035.16	D312003	ADAM D ZMIJA	3115.10
D312004	MARCOS R ALAMILLO	3090.65	D312005	BOBBY B ANDERSON	2569.44
D312006	JOHN F BANKSON	5269.15	D312007	JOSHUA K BEHZAD	2471.66
D312008	JOSHUA D BRANNON	2426.54	D312009	VANESSA M BRODEUR	1879.61
D312010	JUAN C CENTENO	3122.14	D312011	DAVID Y H CHANG	2438.66
D312012	BRIAN M CLASBY JR	2649.26	D312013	CHASEN P CONTRERAS	1953.29
D312014	JARED R DOYLE	43.57	D312015	AMIR A EL-FARRA	3289.94
D312016	JOSHUA N ESCOBEDO	2665.85	D312017	GEORGE R FIGUEREDO	3240.57
D312018	ROGER A FLANDERS	823.02	D312019	ROBERT J GIFFORD	2767.91
D312020	SEAN M GLEASON	2470.40	D312021	ALDO U GUERECIA	2091.46
D312022	MICHAEL J JOHNSON	3166.23	D312023	ARION J KNIGHT	3295.45
D312024	RAPHAEL M LEE	102.31	D312025	DEREK M LINK	3452.45
D312026	CHARLES H LOFFLER	2917.29	D312027	MARK A LORD	2547.03
D312028	TAYLOR A MACY	2085.92	D312029	GIANLUCA F MANIACI	2474.29
D312030	MARIO MARTINEZ JR	4084.19	D312031	NATHAN D MORTON	2460.48
D312032	PATRICK W MURPHY	1854.14	D312033	RUDOLPH J NEGRON	2578.94
D312034	JEFFREY C NGUYEN	2821.49	D312035	STEVEN TRUJILLO ORTIZ	1955.49
D312036	OMAR F PEREZ	2163.91	D312037	MICHAEL M PHILLIPS	1124.85
D312038	SINDY RAMIREZ OROZCO	1992.60	D312039	JOHN E RANEY	3434.78
D312040	RYAN R RICHMOND	2502.72	D312041	CHRISTIN E ROGERS	2741.47
D312042	ERIC T RUZIECKI	2597.89	D312043	SEAN M SALAZAR	3493.46
D312044	LINO G SANTANA	3598.66	D312045	PHILIP E SCHMIDT	3661.14
D312046	CHARLES W STARNES	4905.14	D312047	ARTHUR F TINTLE JR	3489.29
D312048	JOHN J YERGLER	2257.83	D312049	KATHERINE M ANDERSON	4475.02
D312050	PAUL W ASHBY	3445.71	D312051	THOMAS A CAPPS	2867.01
D312052	MICHAEL K ELHAMI	4153.44	D312053	PATRICK E GILDEA	3093.75
D312054	DANNY J MIHALIK	2393.47	D312055	RON A REYES	3207.50
D312056	ROCKY F RUBALCABA	3339.15	D312057	ROYCE C WIMMER	2896.21

**** PAGE TOTAL = 263441.18

D312058	JUAN L DELGADO JR	3013.24	D312059	CHRISTOPHER M EARLE	2434.64
D312060	BENJAMIN M ELIZONDO	2415.02	D312061	OTTO J ESCALANTE	4085.25
D312062	GEORGE KAISER	2932.88	D312063	PETER M KUNKEL	3483.95
D312064	NICHOLAS A LAZENBY	2639.53	D312065	LUIS F RAMIREZ	2947.73
D312066	PETER HOANG VI	2223.86	D312067	JEFFREY A BROWN	2831.46
D312068	DONALD J HUTCHINS	3306.12	D312069	JASON L JOHNSON	2123.51
D312070	ERICK LEYVA	3098.24	D312071	RYAN M LUX	3376.38
D312072	RAUL MURILLO JR	4231.62	D312073	JOSHUA T OLIVO	2506.23
D312074	ROBERT M STEPHENSON III	3031.23	D312075	COURTNEY P ALLISON	2152.87
D312076	LISA A BELTHIUS	791.68	D312077	RANDY G CHUNG	438.38
D312078	DANIEL S EDWARDS	1301.44	D312079	TIFFANY M GRIEGO	310.47
D312080	CRAIG A HERRICK	21.40	D312081	PATRICK R JULIENNE	1251.75
D312082	VERONICA NELSON	861.84	D312083	JOSEPH D VARGAS	256.05
D312084	TRAVIS J WHITMAN	4377.67	D312085	CARL J WHITNEY	3646.06
D312086	KRYSTAL L N JEANG	373.71	D312087	HAN NA PARK	154.47
D312088	FELICIA H PEREZ	381.81	D312089	KEIRA LONG	1817.44
D312090	ROBERT E BOWERS	900.60	D312091	KAREN D BRAME	821.34
D312092	KENNETH L CHISM	1652.33	D312093	CHARLES M CLINE JR	836.00
D312094	JAMES E COLEGROVE	3159.11	D312095	PAUL E DANIELSON	1671.82
D312096	ROBERT M DONAHUE JR	664.25	D312097	RUSSELL B DRISCOLL	421.97
D312098	LARRY J EBELT	1982.10	D312099	MICHELLE N ESTRADA-MONSA	1523.07
D312100	MICHAEL FEHER	1391.65	D312101	HECTOR FERREIRA JR	1654.76
D312102	KORY C FERRIN	3009.80	D312103	JAMES D FISCHER	627.17
D312104	VICTORIA M FOSTER	1294.34	D312105	NICKOLAS K JENSEN	1939.28
D312106	KENNETH E MERRILL	541.00	D312107	BRADLEY D STENE	1654.76
D312108	JOHN J STEPANOVICH	888.05	D312109	PATRICK M THRASHER	1184.85
D312110	MICHAEL J VISCOMI	3109.18	D312111	SCOTT D WATSON	883.23
D312112	ROBERT L BOGUE JR	3607.10	D312113	FLOR DE LIS ELIZONDO	1011.64
D312114	GARY E ELKINS	2062.95	D312115	JOHN A FLAWS	2194.45
D312116	JASON S FULTON	1888.89	D312117	JAMES C HOLDER	2801.78
D312118	ROBERT J KIVLER	1748.08	D312119	VICTORIA L LAWTON	2315.96
D312120	EDUARDO C LEIVA	3601.15	D312121	RAQUEL D MATA	811.22
D312122	REBECCA S MEEKS	2234.44	D312123	MICHELLE L OLMSTEAD	996.61
D312124	DAVID C YOUNG	3755.29	D312125	MARIA A ALCARAZ	1675.21
D312126	CARISSA L BRUNICK	1498.60	D312127	TAMMY L CHAURAN-HAIGROV	1839.85
D312128	VERONICA FRUTOS	1245.44	D312129	DAVID L GEORGE	1808.40
D312130	JENNIFER A GERACI	554.76	D312131	JOAN L HIGHTOWER	1702.28
D312132	PINKY C HINGCO	2616.70	D312133	SUSAN C HUANG	1801.81
D312134	RORY K JANOSHA	988.79	D312135	SHELBY KEUILIAN	1352.06
D312136	ALLYSON T LE	1555.76	D312137	ANGELA LEDESMA	1931.29
D312138	MARIA C MCFARLANE	1746.02	D312139	BRITTNEE D MCGOWEN	1893.39
D312140	TRINA T NGUYEN	1632.42	D312141	DEBRA J NICHOLS	1835.96
D312142	DIANA L O'BRIEN	1160.49	D312143	ASHLEY C ROJAS	1762.51
D312144	JENNIFER V ROMBOUGH	1501.84	D312145	ASHLEY T SEROTA	1683.33
D312146	KIMBRA S VELLANOWETH	1698.24	D312147	KRISTIN M WEISS	1749.04
D312148	SHANNON M YELENSKY	1687.39	D312149	JENNIFER A DIX	2433.14
D312150	DEBBY L FELSE	1997.46	D312151	KATHERINE M FRANCISCO	1765.04
D312152	AMANDA B GARNER	1990.47	D312153	ARCHIE GUZMAN	2491.78

**** PAGE TOTAL = 179257.62

D312154	ROBERT D LUX	2190.34	D312155	MELISSA MENDOZA-CAMPOS	2131.72
D312156	MICHAEL A MOSER	1762.48	D312157	BRANDY J PARK	2517.05
D312158	CRISTINA V PAYAN	1548.56	D312159	JENNIFER M RODRIGUEZ	2138.83
D312160	TANYA L SAMOFF	2258.38	D312161	SUSAN A I SEYMOUR	2096.45
D312162	NICOLE D SHORROW	1635.76	D312163	DANNY J SOSEBEE	1562.47
D312164	MARSHA D SPELLMAN	2217.38	D312165	SPENCER T TRAN	1874.93
D312166	SANTA WARDLE	1063.80	D312167	CHERYL L WHITNEY	2434.10
D312168	RICHARD A ALVAREZ-BROWN	3023.57	D312169	EVAN S BERESFORD	2321.02
D312170	RAY E BEX	3528.24	D312171	RICHARD O BURILLO	3776.29
D312172	DANIEL A CAMARA	2319.90	D312173	JOHN CASACCIA II	2895.13
D312174	HAN J CHO	3193.75	D312175	SCOTT A COLEMAN	2559.12
D312176	RICHARD E DESBIENS	1475.80	D312177	STEPHEN C ESTLOW	1072.18
D312178	MICHAEL D FARLEY	2625.97	D312179	JAMES D FRANKS	1927.87
D312180	PETE GARCIA	1801.11	D312181	STEVEN H HEINE	1006.70
D312182	JOSE D HERRERA	3021.51	D312183	THI A HUYNH	2399.38
D312184	JOSEPH L KOLANO	2480.32	D312185	LEA K KOVACS	2981.36
D312186	DAVID LOPEZ	2248.88	D312187	STEVEN W LUKAS	1499.39
D312188	LUIS A PAYAN	1801.44	D312189	TERRA M RAMIREZ	1891.92
D312190	ORLONZO REYES	3621.72	D312191	PAUL M TESSIER	2383.59
D312192	TUONG-VAN NGUYEN VU	1994.95	D312193	DENNIS WARDLE	2528.79
D312194	RONALD A DOSCHER	2783.62	D312195	ERIC A QUINTERO	2095.74
D312196	MARY C CERDA	1818.95	D312197	NICOLE L CHUNG	1996.03
D312198	NICHOLAS G FRANC	1655.12	D312199	SUSAN A HOLSTEIN	2269.01
D312200	LIANE Y KWAN	2677.76	D312201	JANY H LEE	3131.14
D312202	SHERRILL A MEAD	2007.49	D312203	CAITLYN M STEPHENSON	1540.55
D312204	LAURA J STOVER	4282.90	D312205	FRANA K CASSIDY	1928.52
D312206	ANNA L GOLD	1536.52	D312207	HIEN Q PHAM	1558.01
D312208	KATRENA J SCHULZE	398.57	D312209	MATTHEW T SWANSON	1212.81
D312210	ANTHONY VALENZUELA	1305.88	D312211	CANDY G WILDER	1734.10
D312212	STEVEN F ANDREWS	1400.09	D312213	TERENCE S CHANG	1987.57
D312214	VERNA L ESPINOZA	1658.17	D312215	CESAR GALLO	2145.83
D312216	CHARLES D KALIL	1555.91	D312217	GEOFFREY A KLOESS	2566.56
D312218	RACHOT MORAGRAAN	3117.39	D312219	NOEL J PROFFITT	3094.06
D312220	ANAND V RAO	3909.50	D312221	JOSEPH M SCHWARTZ	2275.43
D312222	ROD T VICTORIA	2077.56	D312223	TERREL KEITH WINSTON	3203.44
D312224	POLICE ASSN	15510.17	D312225	GG FIRE FIGHTERS 2005	21316.42
D312226	SO CAL CU	91038.00	D312227	SOUTHLAND CU	6241.00
W2358	GREAT WEST LIFE 457 #340	117900.99	W2359	GREAT WEST LIFE OBRA#340	2429.03
W2360	INTERNAL REVENUE SERVICE	366524.38	W2361	EMPLOYMENT DEVELOPMENT D	98325.84

**** PAGE TOTAL = 874022.21

TOTAL CHECK PAYMENTS	46	74,982.74
TOTAL DIRECT DEPOSITS	700	1,601,849.93
TOTAL WIRE PAYMENTS	4	585,180.24

GRAND TOTAL PAYMENTS	750	2,262,012.91

Checks #181093 thru #181137, and Direct Deposits #D311528 thru #DD312227, and wire #W2358 thru #W2361 presented in the Payroll Register submitted to the Garden Grove City Council 23 MAY 2017, have been audited for accuracy and funds are available for payment thereof.


KINGSLEY C OKEREKE - FINANCE DIRECTOR

WARRANTS SUBMITTED TO CITY COUNCIL FOR APPROVAL 05/23/17

WARRANT	VENDOR	DESCRIPTION	AMOUNT
622176	DO BUILDER & DESIGN INC	REV & VOID	-914.68 *
622234	CHE, WAI K	REV & VOID	-3,157.00 *
622283	DUONG, VAN TU	REV & VOID	-1,298.00 *
622579	PARK RIDGE APARTMENTS	REV & VOID	-878.00 *
622953	BLODGETT, GREG	TRAVEL ADVANCE-E&CD.D	228.00 *
622954	FELLNER, STEVE	MED TRUST REIMB	2,100.02 *
622955	VOID WARRANT		
622956	HERNANDEZ, GARY	MED TRUST REIMB	320.00 *
622957	LEE, GRACE	TRAVEL ADVANCE-E&CD.D	228.00 *
622958	LEE, GRACE	DEP CARE REIMB	192.30 *
622959	PHI, THYANA	DEP CARE REIMB	129.23 *
622960	RAO*, ANAND V.	MED TRUST REIMB	1,070.00 *
622961	RUITENSCHILD, LES	DEP CARE REIMB	145.30 *
622962	SAUCEDO, DANA	MED TRUST REIMB	78.50 *
622963	SAWYER*, TIMOTHY S.	MED TRUST REIMB	1,053.23 *
622964	SPARGUR *, JEFFREY T	MED TRUST REIMB	524.02 *
622965	STOVER, LAURA	MED TRUST REIMB	305.72 *
622966	UNION BANK	MV GAS/DIESEL FUEL	332.13 *
622967	UNION BANK	ADVERTISING	505.72
		BANK FEES	-10.00
		L/S/A TRANSPORTATION	167.00

PAGE TOTAL FOR "*" LINES = 458.77

WARRANTS SUBMITTED TO CITY COUNCIL FOR APPROVAL 05/23/17

WARRANT	VENDOR	DESCRIPTION	AMOUNT
		FOOD	271.43
			934.15 *
622968	WILDER, CANDY	MED TRUST REIMB	347.88 *
622969	HODSON, AARON	DEP CARE REIMB	138.46 *
622970	PORRAS, STEPHEN	MED TRUST REIMB	1,250.00 *
622971	TRUONG, ELAINE	DEP CARE REIMB	576.00 *
622972	MONICA COVARRUBIAS	TRAVEL ADVANCE-E&C.D	228.00 *
622973	DAI VU	MED TRUST REIMB	2,499.90 *
622974	LIZ VASQUEZ	DEP CARE REIMB	77.08 *
622975	STATE OF CALIF-FRANCHISE TAX BOARD	WAGE ATTACHMENT	201.75 *
622976	CITY OF GARDEN GROVE	TRUST FUND EXP	1,000.00 *
622977	CITY OF GARDEN GROVE-WORK COMP ACCT	SELF-INS CLAIMS	369,208.40 *
622978	GARDEN GROVE SECURED STORAGE	OTHER RENTALS	2,570.40 *
622979	FIS ACCOUNTING DEPT	RECREATION REFUND	24.00 *
622980	PACIFIC PLUMBING SPECIALTIES	PIPES/APPURTENANCES	1,165.50 *
622981	RESIDENCE INN HUNTINGTON BEACH	LODGING	1,584.84 *
622982	S.C. YAMAMOTO, INC.	MAINT OF REAL PROP	10,507.45 *
622983	SCHAEFER, NICK	L/S/A TRANSPORTATION	14.75 *
622984	SMART & FINAL	TRUST FUND EXPEND	301.68
		FOOD	94.67
		FOOD SERV SUPPL	34.13
		FOOD PREP UTENSILS	20.69
		BOTTLED WATER	19.24
		OTHER FOOD ITEMS	228.33
		OFFICE SUPPLIES/EXP	45.23
			743.97 *

PAGE TOTAL FOR "*" LINES = 393,072.53

WARRANTS SUBMITTED TO CITY COUNCIL FOR APPROVAL 05/23/17

WARRANT	VENDOR	DESCRIPTION	AMOUNT
622985	SOUTH COAST A.Q.M.D	PERMITS/OTHER FEES	1,401.54 *
622986	THEODORE ROBINS FORD	MOTOR VEHICLE ADD	81,693.49 *
622987	U.S. BEHAVIORAL HEALTH PLAN, CA	NON-SPEC CONTR SERV	1,646.40 *
622988	TRANSAMERICA EMPLOYEE BENEFITS	LIFE INS PREMIUM	10,020.75 *
622989	AMERINATIONAL COMMUNITY SERVICES, INC.	PERMITS/OTHER FEES	355.00 *
622990	ORANGE COUNTY CLERK RECORDER HALL OF FINANCE & RECORDS	FEE REFUND	50.00 *
622991	ORANGE COUNTY CLERK RECORDER HALL OF FINANCE & RECORDS	FEE REFUND	100.00 *
622992	PRINT MASTERS 85	OTHER PROF SERV	1,277.04 *
622993	LYNN LAI	TRUST FUND EXP	292.50 *
622994	OC RAMPS, INC.	OTHER PROF SERV	2,998.00 *
622995	NIAKI PRODUCTIONS DBA BRIDAL EVENT LOUNGE	TRUST FUND EXP	416.07 *
622996	GARLIC & CHIVES	FOOD	290.00 *
622997-623000	VOID WARRANTS		
623001	AT&T	TELEPHONE	22,760.60 *
623002	AT&T	TELEPHONE	185.38 *
623003	ANAHEIM, CITY OF	ELECTRICITY	85.69 *
623004	SPOK, INC.	TELEPHONES/BEEPERS	191.28 *
623005	FRONTIER COMMUNICATIONS	TELEPHONE/BEEPERS	1,664.82 *
623006	MCI COMM SERVICE	TELEPHONE	33.84 *
623007-623008	VOID WARRANTS		
623009	SO CALIF EDISON CO	ELECTRICITY	30,581.17 *
623010	SO CALIF GAS CO	NATURAL GAS	10,645.40 *

PAGE TOTAL FOR "*" LINES = 166,688.97

WARRANTS SUBMITTED TO CITY COUNCIL FOR APPROVAL 05/23/17

WARRANT	VENDOR	DESCRIPTION	AMOUNT
623011	SPRINT	TELEPHONE	60.54 *
623012	TIME WARNER CABLE	CABLE	148.01 *
623013	VERIZON WIRELESS-LA	TELEPHONE/BEEPERS	16,652.69 *
623014	VOID WARRANT		
623015	HEINE, STEVEN	TRAVEL ADVANCE-P.D.	744.50 *
623016	VOID WARRANT		
623017	SOUTHERN COMPUTER WAREHOUSE, INC	DATA PROCESSING SUPP	12,832.80 *
623018	CDW-GOVERNMENT INC	SOFTWARE	479.40 *
623019	CHEVRON AND TEXACO CARD SERV	MV GAS/DIESEL FUEL	1,264.32 *
623020	COSTCO C/O CAPITAL ONE COMMERCIAL	TRUST FUND EXPEND	208.92
		STREET SWEEPING SERV	257.49
		OTHER EDUCATION EXP	33.38
		FACT:STGTH FTHRS	187.40
		FOOD	1,087.18
		FOOD SERV SUPPL	329.52
		BOTTLED WATER	62.91
		OTHER FOOD ITEMS	890.80
		CAMERAS	215.49
		OTHER MINOR TOOLS/EQ	-468.74
		AWARDS/TROPHIES	150.00
			2,954.35 *
623021	GOLDEN WEST COLLEGE CRIMINAL JUSTICE TRAINING CENTER	TUITION/TRAINING	895.00 *
623022	HERRERA*, JOSE D.	TRAVEL ADVANCE-P.D.	2,253.84 *
623023	i.i. FUELS, INC	MV GAS/DIESEL FUEL	36,848.01 *
623024	RIVERSIDE COUNTY SHERIFF'S DEPT	TUITION/TRAINING	247.00 *

PAGE TOTAL FOR "*" LINES = 75,380.46

WARRANTS SUBMITTED TO CITY COUNCIL FOR APPROVAL 05/23/17

WARRANT	VENDOR	DESCRIPTION	AMOUNT
623025	NORWOOD STORES PIRATE'S DINNER ADVENTURE	FaCT:YTH ENRCH	510.00 *
623026	THOMAS CAPPS	TRAVEL ADVANCE-P.D.	289.75 *
623027	VOID WARRANT		
623028	SPARTAN MEDIA GROUP DBA SGX MEDIA/SGX PRINT	PRINTING	1,379.20 *
623029	SECRETARY OF STATE NOTARY PUBLIC SECTION	TUITION/TRAINING	40.00 *
623030	MELTWATER NEWS US INC.	OTHER PROF SERV	5,000.00 *
623031	CAMARA, DANIEL	TRAVEL ADVANCE-P.D.	2,253.85 *
623032	STATE OF CALIF-FRANCHISE TAX BOARD	WAGE ATTACHMENT	951.67 *
623033	MARYLAND CHILD SUPPORT ACCOUNT	WAGE ATTACHMENT	343.38 *
623034	CO. OF ORANGE	WAGE ATTACHMENT	461.54 *
623035	CO. OF ORANGE	WAGE ATTACHMENT	134.31 *
623036	CO. OF ORANGE	WAGE ATTACHMENT	276.92 *
623037	ORANGE COUNTY SHERIFF/ LEVYING OFFICER CENTRAL DIV	WAGE ATTACHMENT	737.01 *
623038	INTERNAL REVENUE SERVICE	WAGE ATTACHMENT	37.50 *
623039	UNITED STATES TREASURY	WAGE ATTACHMENT	130.00 *
623040	CO. OF ORANGE	WAGE ATTACHMENT	831.00 *
623041	TRASHCANS UNLIMITED, LLC	MINOR OFFICE FURN/EQ	1,563.63 *
623042	UNION BANK	TRUST FUND EXPEND	29.03
		BANK FEES-CRDT CD	-42.36
		OTHER PROF SERV	122.00
		FOOD	818.68
		BOTTLED WATER	12.57
		OTHER FOOD ITEMS	118.01
		OFFICE SUPPLIES/EXP	12.93
		OTHER MINOR TOOLS/EQ	139.41
		AWARDS/TROPHIES	425.00

PAGE TOTAL FOR "*" LINES = 14,939.76

WARRANTS SUBMITTED TO CITY COUNCIL FOR APPROVAL 05/23/17

WARRANT	VENDOR	DESCRIPTION	AMOUNT
		OTHER REC/CULT SUPP	447.20
			2,082.47 *
623043	UNION BANK	FOOD	1,440.80 *
623044	UNION BANK	TRUST FUND EXPEND	422.55
		FaCT:YTH ENRCH	152.43
		BANK FEES-CRDT CD	-30.00
		REGISTRATION FEES	65.00
		FaCT:PROGRAM EXP	37.10
		FaCT:CAC EXP	392.03
		FaCT:FOST/ADOPT	100.00
		FaCT:STGTH FTHRS	47.89
		FOOD SERV SUPPL	24.20
		OTHER FOOD ITEMS	33.00
		MINOR OFFICE FURN/EQ	40.00
		OTHER MINOR TOOLS/EQ	15.37
		OTHER REC/CULT SUPP	387.30
			1,686.87 *
623045	UNION BANK	OTHER CONF/MTG EXP	180.00
		TUITION/TRAINING	45.00
		FOOD	267.90
		FOOD SERV SUPPL	229.99
		BOTTLED WATER	70.56
		OTHER CLOTHING ITEMS	205.32
		LABORATORY CHEMICALS	49.53
		CANINE EXPENSES	55.01
		OTHER PROF SUPPLIES	26.99
		OTHER MAINT ITEMS	19.38
		OFFICE SUPPLIES/EXP	41.54
		HARDWARE	188.52
			1,379.74 *
623046	UNION BANK	BANK FEES-CRDT CD	-30.00
		TAXES/LICENSES	19.99
		ADMN/ENTRANCE FEE	30.00
		FOOD	369.39
		OTHER FOOD ITEMS	131.13
		OFFICE SUPPLIES/EXP	409.89
		OTHER REC/CULT SUPP	214.24
			1,144.64 *

PAGE TOTAL FOR "*" LINES = 7,734.52

WARRANTS SUBMITTED TO CITY COUNCIL FOR APPROVAL 05/23/17

WARRANT	VENDOR	DESCRIPTION	AMOUNT
623047	UNION BANK	ADVERTISING	220.00
		BANK FEES-CRDT CD	-112.70
		L/S/A TRANSPORTATION	491.96
		FOOD	1,579.92
		OTHER CLOTHING ITEMS	1,341.36
		MINOR OFFICE FURN/EQ	1,831.80
		MINOR FURN/EQUIP	619.74
			5,972.08 *
623048	UNION BANK	NETWORKING SERVICES	76.68
		REGISTRATION FEES	250.00
		BOOKS/SUBS/CASSETTES	65.13
		NETWORKING SUPPLIES	252.56
		SOFTWARE	39.99
		MINOR OFFICE FURN/EQ	199.99
			884.35 *
623049	UNION BANK	POSTAGE	9.10
		MAINT OF REAL PROP	66.56
		FOOD	123.85
		LABORATORY CHEMICALS	191.04
		OTHER MAINT ITEMS	272.97
			663.52 *
623050	UNION BANK	OTHER PROF SERV	11.00
		LODGING	539.68
		DUES/MEMBERSHIPS	545.00
		REGISTRATION FEES	75.00
			1,170.68 *
623051	UNION BANK	OTHER CONF/MTG EXP	183.77
		OFFICE SUPPLIES/EXP	36.29
		PINS/MENTOS	735.00
			955.06 *
623052	UNION BANK	TUITION/TRAINING	280.00
		OTHER FOOD ITEMS	73.44
		OTHER MINOR TOOLS/EQ	388.50
			741.94 *
623053	UNION BANK	TUITION/TRAINING	710.00
		FOOD	59.98
			769.98 *

PAGE TOTAL FOR "*" LINES = 11,157.61

WARRANTS SUBMITTED TO CITY COUNCIL FOR APPROVAL 05/23/17

WARRANT	VENDOR	DESCRIPTION	AMOUNT
623054	UNION BANK	ADVERTISING	1,081.36
		PRINTING	441.15
		OTHER RENTALS	428.54
		BANK FEES-CRDT CD	-9.34
		TAXES/LICENSES	333.99
		ADMN/ENTRANCE FEE	645.00
		OFFICE SUPPLIES/EXP	372.77
		MINOR FURN/EQUIP	437.53
		OTHER MINOR TOOLS/EQ	40.00
			3,771.00 *
623055	A&A WIPING CLOTH, INC	WHSE INVENTORY	1,077.50 *
623056	ABOVE THE TOP PARTY RENTALS & EVENT SERVICES INC	TRUST FUND EXPEND	380.00 *
623057	ACA COMPLIANCE SERVICES INC DBA CIMPLX COMPLIANCE SERVICES	OTHER PROF SERV	1,307.25 *
623058	ANTHONY JORDAN FERNANDEZ	OTHER PROF SERV	845.50 *
623059	ADAMSON POLICE PRODUCTS	GUNS/AMMUNITION	7,822.65 *
623060	ADVANCED IMAGING STRATEGIES INC	REPRO SUPPLIES	228.70 *
623061	ALAN'S LAWN AND GARDEN CENTER INC.	OTHER RENTALS	43.75
		MOTOR VEH PARTS	43.27
		OTHER MINOR TOOLS/EQ	49.13
		OTHER CONST SUPPLIES	568.00
			704.15 *
623062	ALL CITY MANAGEMENT SERVICES, INC.	CROSSING GUARD SERV	25,623.68 *
623063	ALLEY KAT MUSIC CENTER	INSTRUCTOR SERVICES	424.90 *
623064	ALLSTAR FIRE EQUIPMENT INC.	SAFETY EQ/SUPPLIES	886.85 *
623065	AMTECH ELEVATOR SERVICES	MAINT-SERV CONTRACTS	1,337.00 *
623066	ANAHEIM HOUSING AUTHORITY COMMUNITY DEV.	MOBILITY INSP FEE	300.00 *
623067	ARROWHEAD MOUNTAIN SPR WATER	BOTTLED WATER	30.92 *
623068	AUDIO VISUAL INNOVATIONS, INC.	MINOR OFFICE FURN/EQ	1,497.98 *

PAGE TOTAL FOR "*" LINES = 46,238.08

WARRANTS SUBMITTED TO CITY COUNCIL FOR APPROVAL 05/23/17

WARRANT	VENDOR	DESCRIPTION	AMOUNT
623069	AUTOMATED POWER TECHNOLOGIES, INC	MAINT-SERV CONTRACTS	3,897.00 *
623070	BC TRAFFIC SPECIALIST	WHSE INVENTORY	1,967.52 *
623071	BAY ALARM COMPANY	OTHER MAINT ITEMS	590.00 *
623072	BOUND TREE MEDICAL LLC	MEDICAL SUPPLIES	5,097.37 *
623073	BROWNELLS, INC.	OTHER MINOR TOOLS/EQ	178.38 *
623074	CDW-GOVERNMENT INC	SOFTWARE	230.00 *
623075	CJ CONCRETE CONSTRUCTION, INC.	MAINT-SERV CONTRACTS	93,526.00 *
623076	C.WELLS PIPELINE MATERIALS INC.	WHSE INVENTORY	2,542.26 *
623077	CALIF FORENSIC PHLEBOTOMY INC	MEDICAL SERVICES	6,672.00 *
623078	CAMERON WELDING SUPPLY	FaCT:PROGRAM EXP	19.70
		MV GAS/DIESEL FUEL	94.09
		MOTOR VEH PARTS	93.42
		OTHER MAINT ITEMS	385.40
		OTHER REC/CULT SUPP	43.10
			635.71 *
623079	CANON SOLUTIONS AMERICA	OFFICE SUPPLIES/EXP	95.81 *
623080	CARROLL, MARTI	FOOD	103.73 *
623081	CEMEX	AGGREGATES/MASONRY	551.06 *
623082	SUPPLYWORKS	WHSE INVENTORY	2,940.79
		JANITORIAL SUPPLIES	32.04
		OTHER MINOR TOOLS/EQ	332.39
			3,305.22 *
623083	COMMUNITY VETERINARY HOSPITAL	TRUST FUND EXPEND	1,999.25 *
623084	COMLOCK SECURITY GROUP COMMERCIAL LOCK & SECURITY	OFFICE SUPPLIES/EXP	19,772.02 *
623085	CONTINENTAL CONCRETE CUTTING	OTHER MAINT ITEMS	20,050.00
		GEN PURPOSE TOOLS	1,184.00
			21,234.00 *

PAGE TOTAL FOR "*" LINES = 162,397.33

WARRANTS SUBMITTED TO CITY COUNCIL FOR APPROVAL 05/23/17

WARRANT	VENDOR	DESCRIPTION	AMOUNT
623086	CRON & ASSOCIATES TRANSCRIPTION, INC.	OTHER PROF SERV	8,856.32 *
623087	CRUISE, GERALD J	INSTRUCTOR SERVICES	1,509.97 *
623088	WM CURBSIDE, LLC AT YOUR DOOR	OTHER PROF SERV	450.00 *
623089	L.N.CURTIS & SONS	SAFETY EQ/SUPPLIES	245.22
		FIRE HOSE RPLCMT	7,265.33
			7,510.55 *
623090	DIAMOND ENVIRONMENTAL SERVICES	OTHER MAINT ITEMS	305.29 *
623091	DOCUMEDIA GROUP	OFFICE SUPPLIES/EXP	989.15 *
623092	DUNN-EDWARDS CORPORATION	PAINT/DYE/LUBRICANTS	173.84 *
623093	ENTERPRISE FLEET MGMT INC CUSTOMER BILLINGS	VEHICLE OP LEASE	13,729.14 *
623094	ENTERPRISE HOLDINGS, INC.	OTHER RENTALS	58.16 *
623095	EWING IRRIGATION PRODUCTS, INC.	INSECTICIDES	63.16
		PIPES/APPURTENANCES	136.72
			199.88 *
623096	EXCLUSIVE AUTO DETAIL	MOTOR VEHICLE MAINT	2,756.00 *
623097	FLOWERS BY CINA, INC.	OTHER AGR SUPPLIES	101.27 *
623098	FORD OF ORANGE	MOTOR VEH PARTS	410.39 *
623099	THE SHERWIN-WILLIAMS CO DBA FRAZEE PAINTS	WHSE INVENTORY	1,528.76
		PAINT/DYE/LUBRICANTS	20.84
		OTHER MAINT ITEMS	114.27
			1,663.87 *
623100	FRYE SIGN CO	MOTOR VEHICLE MAINT	975.00
		SAFETY EQ/SUPPLIES	133.00
			1,108.00 *
623101	MONTROSE ENVIRONMENTAL GROUP ES ENGINEERING SERVICES	OTHER PROF SERV	3,634.00 *
623102	GANAHL LUMBER COMPANY	OTHER MINOR TOOLS/EQ	93.39 *

PAGE TOTAL FOR "*" LINES = 43,549.22

WARRANTS SUBMITTED TO CITY COUNCIL FOR APPROVAL 05/23/17

WARRANT	VENDOR	DESCRIPTION	AMOUNT
623103	GG CHAMBER COMMERCE-DO NOT USE	FOOD	2,000.00 *
623104	REPUBLIC WASTE SERVICES OF SOUTHERN CALIFORNIA, LLC	AMT DUE GG DISPSL REFUSE COLL SERV	543,618.84 9,813.09 553,431.93 *
623105	GARDEN GROVE UNIFIED SCHOOL DIST	MAINT-SERV CONTRACTS	839.44 *
623106	GARDEA, LAURA	INSTRUCTOR SERVICES	1,016.12 *
623107	GOLDEN WEST COLLEGE CRIMINAL JUSTICE TRAINING CENTER	BOOKS/SUBS/CASSETTES	800.00 *
623108	HD SUPPLY WATERWORKS, LTD.	OTHER MAINT ITEMS	205.76 *
623109	HDL COREN & CONE	FOOD	5,625.00 *
623110	HACH COMPANY INC	LABORATORY CHEMICALS	597.14 *
623111	HARBOR POINTE AIR CONDITIONING & CONTROL SYSTEMS, INC.	MAINT-SERV CONTRACTS	125.00 *
623112	HARRINGTON INDUSTRIAL PLASTICS LLC	PIPES/APPURTENANCES	14.43 *
623113	HILL'S BROS LOCK & SAFE INC	OTHER RENTALS MAINT-SERV CONTRACTS OTHER PROF SERV MOTOR VEH PARTS HSHLD EQUIP/SUPPLIES OTHER MAINT ITEMS OTHER MINOR TOOLS/EQ HARDWARE	43.28 5,526.34 84.00 9.70 59.74 46.86 19.07 189.18 5,978.17 *
623114	HINDERLITER, DE LLAMAS & ASSOCIATES	FOOD	2,250.00 *
623115	APPLE ONE EMPLOYMENT SVS ACCOUNTS RECEIVABLE	TEMP AIDE SERVICES	1,935.63 *
623116	ICC INTERNATIONAL CODE COUNCIL	BOOKS/SUBS/CASSETTES	762.01 *
623117	INTERVAL HOUSE	OTHER PROF SERV	26,212.79 *
623118	J & M SERVICE, INC.	MOTOR VEH PARTS	9.43 *
623119	JAY'S CATERING	OTHER AGR SUPPLIES	315.62 *

PAGE TOTAL FOR "*" LINES = 602,118.47

WARRANTS SUBMITTED TO CITY COUNCIL FOR APPROVAL 05/23/17

WARRANT	VENDOR	DESCRIPTION	AMOUNT
623120	KELLY PAPER	WHSE INVENTORY	1,403.71
		PAPER/ENVELOPES	652.70
		REPRO SUPPLIES	55.70
			2,112.11 *
623121	KILMER, WAGNER & WISE PAPER COMPANY, INC.	PAPER/ENVELOPES	74.89 *
623122	KLEINFELDER WEST, INC	ENGINEERING SERVICES	34,125.74 *
623123	KNORR SYSTEMS, INC.	OTHER MAINT ITEMS	1,047.13 *
623124	KOA CORPORATION	ENGINEERING SERVICES	16,200.00 *
623125	KYOCERA DOCUMENT SOLUTIONS	REPRO SUPPLIES	625.71 *
623126	LANGUAGE LINE SERVICES	TELEPHONE	139.12 *
623127	LAWSON PRODUCTS, INC.	MOTOR VEH PARTS	1,156.45 *
623128	LIFECOM SAFETY SERVICE & SUPPLY	OTHER MAINT ITEMS	65.00
		SAFETY EQ/SUPPLIES	65.00
			130.00 *
623129	MC MASTER-CARR SUPPLY CO	OTHER MINOR TOOLS/EQ	426.49
		HARDWARE	110.06
			536.55 *
623130	MERCHANTS BLDG MAINT LLC	MAINT OF REAL PROP	23,866.00
		MAINT-SERV CONTRACTS	4,143.35
			28,009.35 *
623131	MR. D'S AUTOMOTIVE	MOTOR VEHICLE MAINT	134.90 *
623132	MYERS, NICOLE	INSTRUCTOR SERVICES	25.20 *
623133	NATIONAL CONSTRUCTION RENTALS	OTHER RENTALS	226.27 *
623134	VOID WARRANT		
623135	OFFICE DEPOT, INC	OFFICE SUPPLIES/EXP	4,286.57 *
623136	NEW PIG CORP	WHSE INVENTORY	385.35 *

PAGE TOTAL FOR "*" LINES = 89,215.34

WARRANTS SUBMITTED TO CITY COUNCIL FOR APPROVAL 05/23/17

WARRANT	VENDOR	DESCRIPTION	AMOUNT
623137	NIAGARA PLUMBING	PIPES/APPURTENANCES	383.77 *
623138	R.J. NOBLE COMPANY	OTHER MAINT ITEMS	4,424.17 *
623139	OCEAN BLUE ENVIRONMENTAL SERVICES, INC.	HAZMAT REMOVAL	4,664.63
		OTHER MAINT ITEMS	588.00
			5,252.63 *
623140	OPPERMAN & SONS TRUCK	MOTOR VEH PARTS	2,782.49 *
623141	ORANGE COUNTY APPLIANCE PARTS	PIPES/APPURTENANCES	81.63
		AIR COND SUPPLIES	64.19
		OTHER MINOR TOOLS/EQ	6.95
			152.77 *
623142	ORANGE COUNTY FIRE PROTECTION	REPAIRS-FURN/MACH/EQ	325.63 *
623143	O.C. HOUSING AUTHORITY ACCTG DEPT.	MOBILITY INSP FEE	975.00 *
623144	ORANGE COUNTY STRIPING SERV	MAINT-SERV CONTRACTS	2,995.00 *
623145	ORANGE COUNTY TREASURER REVENUE RECOVERY/ACCTS RCV UNIT	PERMITS/OTHER FEES	295.28 *
623146	PETDATA, INC.	OTHER PROF SERV	4,162.50 *
623147	THE PM GROUP	PRINTING	11,280.35 *
623148	PACIFIC ROOTER DAY & NIGHT PLUMBING	MAINT-SERV CONTRACTS	804.50 *
623149	PENCO ENGINEERING, INC.	ENGINEERING SERVICES	9,564.10 *
623150	PETTY CASH-COMMUNITY SERV	TRUST FUND EXPEND	22.50
		L/S/A TRANSPORTATION	26.42
		FaCT:PROGRAM EXP	65.63
		FaCT:CAC EXP	248.30
		FaCT:RLTNSHP PRG	10.78
		FaCT:STGTH FTHRS	19.40
		FaCT: TRAINING	40.00
		OTHER CLOTHING ITEMS	46.79
		OTHER FOOD ITEMS	64.20
		HSHLD EQUIP/SUPPLIES	10.75
		OFFICE SUPPLIES/EXP	11.42
		OTHER REC/CULT SUPP	16.23

PAGE TOTAL FOR "*" LINES = 43,398.19

WARRANTS SUBMITTED TO CITY COUNCIL FOR APPROVAL 05/23/17

WARRANT	VENDOR	DESCRIPTION	AMOUNT
			582.42 *
623151	PETTY CASH - MUN SRVC CTR	TELEPHONE	40.00
		REPAIRS-FURN/MACH/EQ	85.00
		OTHER CONF/MTG EXP	12.00
		OTHER EDUCATION EXP	18.61
		SEEDS/PLANTS	11.20
		BOTTLED WATER	20.58
		OTHER FOOD ITEMS	82.10
		OFFICE SUPPLIES/EXP	189.43
		CELL PHONE/BEEPER	20.00
		OTHER	100.55
			579.47 *
623152	PLUMBERS DEPOT INC.	GEN PURPOSE TOOLS	422.04 *
623153	POOL WATER PRODUCTS	OTHER MAINT ITEMS	4.48 *
623154	PRIM&MULTI-SPEC CLN OF ANAHEIM DBA GATEWAY URGENT CARE CTR	MEDICAL SERVICES	915.00 *
623155	PRO-FORCE LAW ENFORCEMENT	UNIFORMS	1,300.32 *
623156	RED WING SHOE STORE	SAFETY EQ/SUPPLIES	238.10 *
623157	PROACTIVE WORK HEALTH SERVICES	MEDICAL SERVICES	1,512.00 *
623158	SIEMENS INDUSTRY, INC.	MAINT-SERV CONTRACTS	15,540.80 *
623159	DATA TICKET, INC	OTHER PROF SERV	892.25 *
623160	RICOH USA, INC DBA RICOH LEGAL DOC SERV	MAINT-SERV CONTRACTS	11.27 *
623161	NEWHOPE P & L, INC. DBA NEWHOPE PAINT & COATINGS	OTHER MAINT ITEMS	3,840.00 *
623162	AT&T GLOBAL SERVICES INC	TELEPHONE	200.00 *
623163	SABP INC SABP REPROGRAPHICS	OTHER MAINT ITEMS	33.00 *
623164	SAXE-CLIFFORD, PH.D., SUSAN	MEDICAL SERVICES	2,250.00 *
623165	SAWYER*, TIMOTHY S.	TUITION REIMB	1,684.00 *
623166	SCHAEFER, NICK	TUITION/TRAINING	195.00 *

PAGE TOTAL FOR "*" LINES = 30,200.15

WARRANTS SUBMITTED TO CITY COUNCIL FOR APPROVAL 05/23/17

WARRANT	VENDOR	DESCRIPTION	AMOUNT
623167	SCOTT FAZEKAS & ASSOCIATES INC.	OTHER PROF SERV	2,469.37 *
623168	SHRED CONFIDENTIAL, INC.	OTHER PROF SERV	507.94 *
623169	SITEONE LANDSCAPE SUPPLY HLDING	WHSE INVENTORY	387.38 *
623170	SOUTH COAST A.Q.M.D	PERMITS/OTHER FEES	1,437.63 *
623171	SOUTHERN COUNTIES LUBRICANTS LLC.	WHSE INVENTORY	2,448.58 *
623172	SPARKLETTS	OFFICE EQUIP RENTAL	91.93
		BOTTLED WATER	599.01
		OTHER MAINT ITEMS	64.98
			755.92 *
623173	SPECTRUM GAS PRODUCTS, INC.	MEDICAL SUPPLIES	227.50 *
623174	SPILLMAN TECHNOLOGIES	15/16 SLESA	57,170.00 *
623175	STATE INDUSTRIAL PRODUCTS	WHSE INVENTORY	1,860.83 *
623176	SUN BADGE COMPANY	UNIFORMS	950.00 *
623177	SUNBELT RENTALS	HEAVY EQUIP RENTAL	3,001.82 *
623178	THOMSON REUTERS- WEST C/O WEST PAYMENT CENTER	DUES/MEMBERSHIPS	321.06 *
623179	HONEYWELL (FORMER TOTAL FIRE GROUP)	UNIFORMS	239.74
		SAFETY EQUIP	566.00
			805.74 *
623180	TRUCK & AUTO SUPPLY INC. TrucParCo	MOTOR VEH PARTS	230.34 *
623181	TURNOUT MAINTENANCE COMPANY	FIRE TURNOUTS REPAIR	346.99 *
623182	TYCO FIRE&SECURITY(US) MGMT, INC DBA TYCO INTEGRATED SEC., LLC	MAINT-SERV CONTRACTS	570.95 *
623183	U.S. ARMOR CORP.	UNIFORMS	4,738.23
		SAFETY EQ/SUPPLIES	738.09
			5,476.32 *
623184	UNDERGROUND SERVICE ALERT OF SOUTHERN CALIFORNIA	OTHER MAINT ITEMS	424.50 *

PAGE TOTAL FOR "*" LINES = 79,392.87

WARRANTS SUBMITTED TO CITY COUNCIL FOR APPROVAL 05/23/17

WARRANT	VENDOR	DESCRIPTION	AMOUNT
623185	UNIFIRST CORP	LAUNDRY SERVICES	1,741.52
		TREE TRIMMING SERV	215.33
			1,956.85 *
623186	UNITED PARCEL SERVICE	UPS-PERSONAL	0.75
		DELIVERY SERVICES	25.80
			26.55 *
623187	UNITED RENTALS NORTHWEST, INC	AGGREGATES/MASONRY	200.96 *
623188	VALLEY POWER SYSTEMS, INC.	MOTOR VEH PARTS	1,891.50
		OTHER MAINT ITEMS	1,424.28
			3,315.78 *
623189	VISION MARKING DEVICES	OTHER PROF SUPPLIES	41.93
		OFFICE SUPPLIES/EXP	82.59
			124.52 *
623190	WEBER WATER RESOURCES CA LLC	REPAIRS-FURN/MACH/EQ	5,582.23 *
623191	VULCAN MATERIALS COMPANY WESTERN DIVISION	ASPHALT PRODUCTS	67,042.23 *
623192	GRAINGER	WHSE INVENTORY	446.24
		ELECTRICAL SUPPLIES	508.56
		AIR COND SUPPLIES	328.45
		SAFETY EQ/SUPPLIES	80.76
		OTHER MINOR TOOLS/EQ	17.31
		HARDWARE	74.54
			1,455.86 *
623193	WALTERS WHOLESALE ELECTRIC	MOTOR VEH PARTS	142.36
		ELECTRICAL SUPPLIES	1,379.50
		PIPES/APPURTENANCES	142.29
		MAINT SUPP-TRAFF SIG	5,684.10
			7,348.25 *
623194	CARL WARREN & CO	SELF-INS ADMN	9,000.00 *
623195	WATERLINE TECHNOLOGIES, INC.	LABORATORY CHEMICALS	2,828.97 *
623196	WAXIE SANITARY SUPPLY	WHSE INVENTORY	2,339.08 *
623197	WESTERN STATES ROOFING, INC.	MAINT OF REAL PROP	60,301.25 *

PAGE TOTAL FOR "*" LINES = 161,522.53

WARRANTS SUBMITTED TO CITY COUNCIL FOR APPROVAL 05/23/17

WARRANT	VENDOR	DESCRIPTION	AMOUNT
623198	TREMCO/WEATHERPROOFING TECHNOLOGIES, INC.	MAINT-SERV CONTRACTS	8,340.00 *
623199	UNITED WATER WORKS, INC.	PIPES/APPURTENANCES	385.13 *
623200	WESTATES MARKING DEVICES & RUBBER STAMP MFG.	OFFICE SUPPLIES/EXP	354.25 *
623201	WEST COAST SAND & GRAVEL	OTHER MAINT ITEMS	611.90 *
623202	FERGUSON ENTERPRISES, INC #1350	WHSE INVENTORY	21,084.30 *
623203	WESTERN EXTERMINATOR	MAINT-SERV CONTRACTS	1,567.00
		OTHER MAINT ITEMS	525.00
			2,092.00 *
623204	WESTERN ILLUMINATED PLASTICS INC	ELECTRICAL SUPPLIES	617.41 *
623205	WESTERN OIL SPREADING SERVICES	ASPHALT PRODUCTS	624.51 *
623206	CITY OF WESTMINSTER	PISTOL RANGE RENTAL	1,900.00 *
623207	WINNERS CIRCLE TROPHY COMPANY	AWARDS/TROPHIES	64.65 *
623208	WOODRUFF, SPRADLIN & SMART A PROFESSIONAL CORP	LEGAL FEES	404.00 *
623209	2-1-1 ORANGE COUNTY	OTHER PROF SERV	2,000.00 *
623210	CARMODY CONSTRUCTION COMPANY DBA RIVIERA FINANCE	REHAB LOAN	17,532.90 *
623211	SAFARILAND, LLC	OTHER PROF SUPPLIES	305.21 *
623212	DTNTech MARKETING	COMMUNITY RELATIONS	1,699.20
		OTHER PROF SERV	286.20
		UNIFORMS	263.52
		PINS/MEMENTOS	3,801.81
			6,050.73 *
623213	ASSOCIATED SOILS ENGINEERING, INC.	MAINT OF REAL PROP	830.00 *
623214	ORIENTAL TRADING COMPANY	OTHER REC/CULT SUPP	167.80 *
623215	P.L. HAWN COMPANY, INC. AIR FILTRATION & POLLUTION CONT	AIR COND SUPPLIES	1,630.93 *
623216	ORANGE RADIATOR SERVICE	REPAIRS-FURN/MACH/EQ	850.00

PAGE TOTAL FOR "*" LINES = 64,995.72

WARRANTS SUBMITTED TO CITY COUNCIL FOR APPROVAL 05/23/17

WARRANT	VENDOR	DESCRIPTION	AMOUNT
		MOTOR VEHICLE MAINT	850.00
			1,700.00 *
623217	FACTORY MOTOR PARTS CO	MOTOR VEH PARTS	644.39 *
623218	ALTEC INDUSTRIES, INC	MOTOR VEHICLE REPL	87,220.30 *
623219	MONTROSE ENVIRONMENT CORP DBA SCEC	MAINT-SERV CONTRACTS	2,008.24 *
623220	WESTERN WATER WORKS	WHSE INVENTORY	4,217.28 *
623221	CHEMEX INDUSTRIES	JANITORIAL SUPPLIES	1,310.17 *
623222	SOURCE GRAPHICS	REPRO SUPPLIES	142.14 *
623223	NATIONAL BUSINESS FURNITURE	MINOR OFFICE FURN/EQ	781.45 *
623224	RUVALCABA, MELISSA	OTHER PROF SERV	225.00 *
623225	TRAFFIC MANAGEMENT INC	OTHER MAINT ITEMS	78.13
		SIGNS/FLAGS/BANNERS	451.11
			529.24 *
623226	RK ENGINEERING GROUP INC	OTHER PROF SERV	10,300.00 *
623227	MARIE CALLENDER'S	FOOD	141.79 *
623228	BEE REMOVERS	NON-SPEC CONTR SERV	115.00 *
623229	STATEWIDE TRAFFIC SAFETY AND SIGNS INC	WHSE INVENTORY	702.83 *
623230	RIO HONDO COLLEGE	TUITION/TRAINING	3,879.50 *
623231	VOID WARRANT		
623232	O'REILLY AUTO PARTS	MOTOR VEH PARTS	6,146.62 *
623233	MAJOR LEAGUE SOFTBALL, INC.	OTHER PROF SERV	420.00 *
623234	LUBRICATION ENGINEERS, INC.	GREASE/LUBE OIL	930.96 *
623235	LOS ANGELES FREIGHTLINER	REPAIRS-FURN/MACH/EQ	430.14 *

PAGE TOTAL FOR "*" LINES = 121,845.05

WARRANTS SUBMITTED TO CITY COUNCIL FOR APPROVAL 05/23/17

WARRANT	VENDOR	DESCRIPTION	AMOUNT
623236	VORTEX INDUSTRIES INC	MAINT OF REAL PROP	1,564.96 *
623237	GARDEN GROVE AUTOMOTIVE GARDEN GROVE KIA	MOTOR VEHICLE MAINT	60.00 *
623238	TIN LOCKSMITH INC	MOTOR VEH PARTS	100.00 *
623239	LEXISNEXIS RISK SOLUTIONS	BOOKS/SUBS/CASSETTES	393.90 *
623240	M. GANNON ECKHARDT	TUITION/TRAINING	345.00 *
623241	DIRECTV	CABLE TV SERVICE	143.23 *
623242	ALSABBAGH, SARA	OTHER PROF SERV	225.00 *
623243	LU TO	BUS OPER TAX REFUND BOT FEE REFUND	261.60 85.00 346.60 *
623244	DEPARTMENT OF CONSUMER AFFAIRS	TAXES/LICENSES	460.00 *
623245	FG SOLUTIONS LLC	OTHER PROF SERV	17,396.37 *
623246	MIRAE HANNAH	SEWER FEES	2,462.78 *
623247	RODRIGUEZ, LESLIE	OTHER PROF SERV	225.00 *
623248	MARTINEZ, LISETTE	OTHER PROF SERV	225.00 *
623249	B.L. WALLACE DISTRIBUTOR, INC.	MAINT SUPP-TRAFF SIG	909.41 *
623250	TRENCH SHORING COMPANY	OTHER MAINT ITEMS	572.06 *
623251	CYPRESS ENGRAVING	AWARDS/TROPHIES	608.79 *
623252	KEN'S TRADING	BUS OPER TAX REFUND	25.50 *
623253	SCHORR METALS, INC.	MOTOR VEH PARTS	47.04 *
623254	GMS AUTOGLASS	REPAIRS-FURN/MACH/EQ	264.96 *
623255	CROSSTOWN ELECTRICAL & DATA, INC.	MAINT-SERV CONTRACTS	927.86 *
623256	KAYE'S KITCHEN	FOOD	110.00 *

PAGE TOTAL FOR "*" LINES = 27,413.46

WARRANTS SUBMITTED TO CITY COUNCIL FOR APPROVAL 05/23/17

WARRANT	VENDOR	DESCRIPTION	AMOUNT
623257	KIRZHNER, ALLEN	DUES/MEMBERSHIPS	88.00 *
623258	TREE OF LIFE NURSERY	SEEDS/PLANTS	183.34 *
623259	ROACH, ANDREW	TUITION/TRAINING	300.00 *
623260	HOIST SERVICE INC.	REPAIRS-FURN/MACH/EQ	1,253.84 *
623261	ON SCENE TV	OTHER PROF SERV	200.00 *
623262	DUNHAM, JEANNE K. DBA JEANNE K. JONES-DUNHAM	FACT:CMT SUPVSOR	5,340.00 *
623263	BATTERY SYSTEMS INC.	MOTOR VEH PARTS	2,126.86 *
623264	ECOLINE INDUSTRIAL SUPPLY INC	GEN PURPOSE TOOLS	884.85 *
623265	OAKLEY CORP	UNIFORMS	650.04 *
623266	LT PROPERTIES	LAND/BLDG/ROOM RENT	513.55 *
623267	LABSOURCE, INC.	WHSE INVENTORY	1,140.00 *
623268	NGUYEN, KIM HONG	TENANT UTILITY REIMB	60.00 *
623269	POLLOCK, AMANDA	TUITION/TRAINING	159.35 *
623270	NFPA	BOOKS/SUBS/CASSETTES	481.05 *
623271	BECERRA, RUDY	SAFETY EQ/SUPPLIES	61.41 *
623272	WRIGLEY, JAMES LAWRENCE	TENANT UTILITY REIMB	34.00 *
623273	DEPARTMENT OF JUSTICE	LIFESCAN FEE-DOJ	2,473.00 *
623274	ENVIROCHECK	MAINT OF REAL PROP	900.00 *
623275	REYNOSO, JANE	CITATION DIST	51.00 *
623276	MAINTENANCE SOLUTIONS, INC.	JANITORIAL SUPPLIES	653.69 *
623277	MICHAEL ROCHA	SAFETY EQ/SUPPLIES	91.36 *
623278	SCHAFER CONSULTING, INC.	OTHER PROF SERV	6,375.00 *

PAGE TOTAL FOR "*" LINES = 24,020.34

WARRANTS SUBMITTED TO CITY COUNCIL FOR APPROVAL 05/23/17

WARRANT	VENDOR	DESCRIPTION	AMOUNT
623279	HR GREEN CALIFORNIA, INC.	OTHER PROF SERV	19,995.00 *
623280	WU, CHRISTINE	BUS OPER TAX REFUND	25.50 *
623281	FERGUSON FIRE & FABRICATION INC	BUS OPER TAX REFUND	11.00 *
623282	VERONA, JUANITA	CITATION DIST	51.00 *
623283	NOBLE, GRANT	TUITION/TRAINING	180.00 *
623284	BINDERS OF NC, LLC	PRINTING	570.81 *
623285	NICHOLSON PIPES & DRUMS	OTHER PROF SERV	400.00 *
623286	CALIFORNIA PUMPCRETE, INC.	AGGREGATES/MASONRY	333.90 *
623287	WEST COUNTY TIRE & AUTO INC.	WHSE INVENTORY	5,043.31 *
623288	SOUMELIA GOUNTOUMA	TUITION/TRAINING	300.00 *
623289	BECS PACIFIC LTD.	HARDWARE	416.68 *
623290	TOPAZ ALARM CORP	OTHER PROF SERV	150.00 *
623291	YO-FIRE SUPPLIES	WHSE INVENTORY	2,635.83
		PIPES/APPURTENANCES	297.32
		OTHER MAINT ITEMS	820.76
			3,753.91 *
623292	MSC INDUSTRIAL SUPPLY CO. INC.	OTHER PROF SUPPLIES	213.99
		ELECTRICAL SUPPLIES	42.56
			256.55 *
623293	THE GEO GROUP, INC. ATTN: CONTROLLER	JAILER SERVICES	88,344.34 *
623294	ORANGE COUNTY CLERK RECORDER HALL OF FINANCE & RECORDS	OTHER PROF SERV	8.00 *
623295	LINE GEAR FIRE & RESCUE EQUIPMENT	UNIFORMS	194.60
		WILDLAND/SAFETY	676.00
			870.60 *
623296	NORATEK SOLUTIONS, INC.	SOFTWARE	1,000.00 *

PAGE TOTAL FOR "*" LINES = 121,710.60

WARRANTS SUBMITTED TO CITY COUNCIL FOR APPROVAL 05/23/17

WARRANT	VENDOR	DESCRIPTION	AMOUNT
623297	AMERICAN INTERNET SERVICES, LLC	NETWORK COMMUNICT	669.56 *
623298-623299	VOID WARRANTS		
623300	GRP2 UNIFORMS, INC KEYSTONE UNIFORMS, OC	UNIFORMS	17,393.02 *
623301	SOUTHERN COMPUTER WAREHOUSE, INC	REPRO SUPPLIES	222.65
		DATA PROCESSING SUPP	46.85
			269.50 *
623302	LANDS' END BUSINESS OUTFITTERS	UNIFORMS	73.53 *
623303	GUITAR CENTER STORES, INC.	AUDIO/VISUAL SUPP	112.04 *
623304	EDUARDO INIESTRA	OTHER PROF SERV	300.00 *
623305	CORNERSTONE COMMUNICATIONS, INC.	COMMUNITY RELATIONS	8,000.00 *
623306	INFOSEND, INC.	REPRO SUPPLIES	407.13 *
623307	PREMIUM QUALITY LIGHTING	ELECTRICAL SUPPLIES	663.32 *
623308	DANIEL MOORE	TUITION REIMB	769.50 *
623309	SAN DIEGO POLICE EQUIPMENT	GUNS/AMMUNITION	1,597.71 *
623310	DATABLAZE LIGHTING UP WIRELESS DATA	OTHER PROF SERV	79.90 *
623311	ANDERSEN'S DOOR SERVICE	MAINT-SERV CONTRACTS	205.20 *
623312	USA BLUE BOOK	LABORATORY CHEMICALS	786.48 *
623313	STOMMEL INC DBA LEHR AUTO	MOTOR VEH PARTS	4,403.27 *
623314	CRAFCO INC. DEPT #2279	ASPHALT PRODUCTS	1,551.60 *
623315	VU, KIM CUC THI	TENANT UTILITY REIMB	29.00 *
623316	LY, NANCY	TENANT UTILITY REIMB	16.00 *
623317	LIEBERT CASSIDY WHITMORE	LEGAL FEES	3,250.00 *
623318	CA SHOPPING CART RETRIEVAL CORP	OTHER PROF SERV	2,083.00 *

PAGE TOTAL FOR "*" LINES = 42,659.76

WARRANTS SUBMITTED TO CITY COUNCIL FOR APPROVAL 05/23/17

WARRANT	VENDOR	DESCRIPTION	AMOUNT
623319	SOUTH COAST A.Q.M.D.	PERMITS/OTHER FEES	1,129.23 *
623320	LACEY CUSTOM LINENS, INC.	LAUNDRY SERVICES	248.18 *
623321	PRINT MASTERS 85	ADVERTISING	1,195.04 *
623322	ISRAEL NIETO DBA AG ENTERTAINMENT	FaCT:CAC EXP	300.00 *
623323	HERNANDEZ, RAMONA	TENANT UTILITY REIMB	106.00 *
623324	FUNFLICKS SOUTHERN CALIFORNIA LLC	AUDIO/VISUAL SUPP	3,555.75 *
623325	CONTRERAS, GABRIELA	SAFETY EQ/SUPPLIES	242.44 *
623326	ALHEIMER'S ORANGE COUNTY	OTHER PROF SERV	2,500.00 *
623327	ORANGE COUNTY EMERGENCY PET CLINIC	OTHER PROF SERV	1,700.00 *
623328	KELLY ASSOCIATES MANAGEMENT GROUP LLC	OTHER PROF SERV	5,500.00 *
623329	COUNTY OF ORANGE TREASURER-TAX COLLECTOR	REPAIRS-FURN/MACH/EQ	1,610.40
		MAINT-SERV CONTRACTS	30,931.23
		NETWORKING SERVICES	1,115.00
		DISPATCH SERVICES	36,606.00
		OTHER PROF SERV	9,565.16
		FORENSIC SERV	77,749.34
			157,577.13 *
623330	ENGINEERING RESOURCES OF SOUTHERN CALIFORNIA INC.	ENGINEERING SERVICES	31,000.00 *
623331	NATIONAL CREDIT REPORTING	OTHER PROF SERV	25.90 *
623332	OCCMA	REGISTRATION FEES	22.00 *
623333	NEWHOPE BUSINESS PARK	LAND/BLDG/ROOM RENT	20,868.00 *
623334	SHEVLIN, TIM	OTHER PROF SERV	100.00 *
623335	PERS PUBLIC AGENCY COALITION	DUES/MEMBERSHIPS	1,000.00 *
623336	DO BUILDER & DESIGN INC	DEPOSIT REFUND	1,200.00
		WATER REFUND	-285.32
			914.68 *

PAGE TOTAL FOR "*" LINES = 227,984.35

WARRANTS SUBMITTED TO CITY COUNCIL FOR APPROVAL 05/23/17

WARRANT	VENDOR	DESCRIPTION	AMOUNT
623337	ICMA ICMA MEMBERSHIP PAYMENTS	DUES/MEMBERSHIPS	150.00 *
623338	FLEMING ENVIRONMENTAL INC.	MAINT-SERV CONTRACTS	1,214.29 *
623339	ROSS CREATIONS SOUND STAGE & LIGHTING	OTHER PROF SERV	300.00 *
623340	WILKERSON, RANDY C/O SILVER PLATTER REALTY	WATER CLOSING BILL REFUND	36.21 *
623341	FABELLA, JAMES	WATER CLOSING BILL REFUND	30.58 *
623342	ALCANTARA, NASARIO	WATER CLOSING BILL REFUND	38.85 *
623343	NGO, HIEU	WATER CLOSING BILL REFUND	37.70 *
623344	NGUYEN, KENNY	WATER CLOSING BILL REFUND	31.21 *
623345	REYES, ERIC	WATER CLOSING BILL REFUND	32.06 *
623346	TRAN, THAI	WATER CLOSING BILL REFUND	25.45 *
623347	MAI, JACYLN	WATER CLOSING BILL REFUND	11.95 *
623348	NGUYEN, STEPHEN	WATER CLOSING BILL REFUND	1.44 *
623349	NEXT LEVEL PROPERTY INVESTMENT LLC	WATER CLOSING BILL REFUND	58.03 *
623350	DDSW LLC, %THOMPSON, NEAL	WATER CLOSING BILL REFUND	93.04 *
623351	HUYNH, LIEM	WATER CLOSING BILL REFUND	13.05 *
623352	ROSSI, DAVID	WATER CLOSING BILL REFUND	39.73 *
623353	PHAM, CHAU	WATER CLOSING BILL REFUND	51.00 *
623354	GALEN, MATT	WATER CLOSING BILL REFUND	59.31 *
623355	ESTRADA, KOKOE	WATER CLOSING BILL REFUND	21.52 *
623356	DELACRUZ, ALFREDO	WATER CLOSING BILL REFUND	158.01 *
623357	MYERS, RANDALL	WATER CLOSING BILL REFUND	22.45 *
623358	HALE, BILL N JR.	WATER CLOSING BILL REFUND	49.99 *

PAGE TOTAL FOR "*" LINES = 2,475.87

WARRANTS SUBMITTED TO CITY COUNCIL FOR APPROVAL 05/23/17

WARRANT	VENDOR	DESCRIPTION	AMOUNT
623359	HUY, TIM	WATER CLOSING BILL REFUND	15.10 *
623360	NEXT LEVEL PROPERTY INVESTMENT LLC	WATER CLOSING BILL REFUND	25.44 *
623361	KEARNEY, WALT	WATER CLOSING BILL REFUND	192.12 *
623362	PHAM, THINH	WATER CLOSING BILL REFUND	16.77 *
623363	ROACH, MIKE	WATER CLOSING BILL REFUND	19.65 *
623364	NGUYEN, THU	WATER CLOSING BILL REFUND	67.23 *
623365	NGUYEN, THANH	WATER CLOSING BILL REFUND	12.12 *
623366	NELSON, JOHN	WATER CLOSING BILL REFUND	54.51 *
623367	NGUYEN, HANG	WATER CLOSING BILL REFUND	49.59 *
623368	NGUYEN, MIMI A	WATER CLOSING BILL REFUND	25.51 *
623369	TRAN, NANH	WATER CLOSING BILL REFUND	53.35 *
623370	BUI, HELEN	WATER CLOSING BILL REFUND	11.60 *
623371	TRAN, THUONG	WATER CLOSING BILL REFUND	129.23 *
623372	LE, VI	WATER CLOSING BILL REFUND	43.71 *
623373	FREY, EMILY	WATER CLOSING BILL REFUND	45.14 *
623374	GUERECA, OSCAR	WATER CLOSING BILL REFUND	60.02 *
623375	VUONG, PETER	WATER CLOSING BILL REFUND	60.37 *
623376	DANG, HUNG M	WATER CLOSING BILL REFUND	76.31 *
623377	DO, HUYNH	WATER CLOSING BILL REFUND	65.42 *
623378	BEC, ALYSSA	WATER CLOSING BILL REFUND	30.00 *
623379	PENALOZA, ROSALBA	WATER CLOSING BILL REFUND	10.83 *
623380	PARK RIDGE APARTMENTS	RENT SUBSIDY	510.00 *

PAGE TOTAL FOR "*" LINES = 1,574.02

WARRANTS SUBMITTED TO CITY COUNCIL FOR APPROVAL 05/23/17

WARRANT	VENDOR	DESCRIPTION	AMOUNT
623381	WONG, THOMAS	RENT SUBSIDY	6,044.00 *
W1855	PUBLIC EMPLOYEES' RETIREMENT SYSTEM	PENSION PAYMENT	949,074.17 *
W1856	DELTA DENTAL OF CALIFORNIA	SELF-INS ADMN	2,893.65 *
W1857	INTERNAL REVENUE SERVICE	WAGE ATTACHMENT	835.80 *
W1858	DELTA DENTAL OF CALIFORNIA	SELF-INS CLAIMS	21,918.50 *
W1859	CITY OF GARDEN GROVE-LIABILITY ACCT	LEGAL FEES	53,198.40
		MUN CLAIMS BD PMT	6,367.12
			59,565.52 *
W1860	VOID WIRE		
W1861	KS STATE BANK	INTEREST COSTS	256.73
		LONG TERM DEBT	7,620.35
			7,877.08 *
W1862	LINCOLN FINANCIAL GROUP	LIFE INS PREMIUM	8,222.70 *
W1863	PUBLIC EMPLOYEES' RETIREMENT SYSTEM	HEALTH INSURANCE	658,699.29 *
W1864	VISION SERVICE PLAN	VISION INSURANCE	7,324.79 *
W1865	INTERNAL REVENUE SERVICE	WAGE ATTACHMENT	505.50 *
W1866	AGENCY WIRE		
W1867	CALIFORNIA STATE DISBURSEMENT UNIT	WAGE ATTACHMENT	4,067.37 *
W1868	PUBLIC EMPLOYEES' RETIREMENT SYSTEM	PENSION PAYMENT	1,056.19 *

PAGE TOTAL FOR "*" LINES = 1,728,084.56

WARRANTS SUBMITTED TO CITY COUNCIL FOR APPROVAL 05/23/17

WARRANT

VENDOR

DESCRIPTION

AMOUNT

FINAL TOTAL 4,290,228.53 *

DEMANDS #622953 - 623381 AND WIRES W1855 - W1868 AS PRESENTED IN THE WARRANT REGISTER SUBMITTED TO THE GARDEN GROVE CITY COUNCIL MAY 23, 2017, HAVE BEEN AUDITED FOR ACCURACY AND FUNDS ARE AVAILABLE FOR PAYMENT THEREOF

Handwritten signature and date: 5/18/17

City of Garden Grove

INTER-DEPARTMENT MEMORANDUM

To:	Scott C. Stiles	From:	Lisa L. Kim
Dept.:	City Manager	Dept.:	Community and Economic Development
Subject:	Adoption of Resolutions adopting a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program; approving General Plan Amendment No. GPA-001-2017; and authorizing a request to initiate proceedings for the Lewis Street reorganization with the City of Orange; Introduction and first reading of Ordinances approving Planned Unit Development No. PUD-006-2017 and Development Agreement No. DA-006-2017 to facilitate a proposed 70-unit Small Lot Subdivision at 12901 Lewis Street.		
Date:	5/23/2017		

OBJECTIVE

To transmit a recommendation from the Planning Commission to the City Council to approve the land use actions necessary to effectuate approval of a small lot subdivision with 70 single-family detached residential units and related street and open space improvements on a 9.01-acre site located in the Cities of Garden Grove and Orange, at the northwest corner of Lewis Street and Garden Grove Boulevard, at 12901 Lewis Street, and to obtain City Council approval of a Resolution authorizing and requesting initiation of proceedings by the Orange County Local Agency Formation Commission for a change of organization involving the detachment and annexation of 0.901 acres of property from the City of Orange to the City of Garden Grove and Garden Grove Sanitary District in order to facilitate the Project. Specifically, the City Council is requested to take the following actions: (i) to adopt a Resolution adopting a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Project; (ii) to adopt a Resolution approving General Plan Amendment No. GPA-001-2017 to amend the City of Garden Grove's General Plan Land Use Map to modify the General Plan Land Use Designation of the portion of the project site that is located within the City of Garden Grove from Civic/Institutional to Low Density Residential and to include the properties to be annexed under the General Plan Land use Designation of Low Density Residential; (iii) to introduce and conduct the first reading of an Ordinance approving Planned Unit Development No. PUD-006-2017 to

amend the City's official Zoning Map to change the zoning for the portion of the project site that is located within the City of Garden Grove and to "pre-zone" the properties to be annexed to residential Planned Unit Development zoning (PUD-006-2017) with R-1 (Single-Family Residential) base zoning; (iv) to introduce and conduct the first reading of an Ordinance approving Development Agreement No. DA-006-2017; (v) to adopt a Resolution authorizing initiation of proceedings with the Orange County Local Agency Formation Commission for the proposed changes of organization, designated as the Lewis Street Reorganization (RO 17-01).

BACKGROUND

The subject site is a 9.01-acre lot, located at the northwest corner of Lewis Street and Garden Grove Boulevard, owned by Christ Catholic Cathedral Facilities Corporation, and is currently improved with religious institutional and school uses. Until 1962, the subject site and much of the surrounding area was planted with orchards and pastures. In 1965, the orchards on the site were cleared and the church, rectory, parish hall, administrative buildings, classroom buildings, recreation area for the school, and parking areas were constructed. In the early 1970s, the SR-22 freeway was constructed and Lewis Street was realigned to its present configuration. As a result of the construction of the freeway and realignment of Lewis Street, the boundary between the Cities of Garden Grove and Orange currently bisects the site, resulting in a small portion of the site being located in the City of Orange. In 1999, the City of Garden Grove approved land use entitlements, which allowed for the construction of a 15,500 square foot sanctuary church building and a spire. In 2005, the church improvements were completed, and the site has remained unchanged ever since.

Shea Homes has requested the City take various land use actions necessary for it to develop a gated small lot subdivision with 70 single-family detached residential units and related street and open space improvements on the subject site. In order to facilitate development of the Project, the applicant has also requested that the City initiate proceedings with the Orange County Local Agency Formation Commission (LAFCO) for a change of organization that would adjust the boundary between the Cities of Garden Grove and Orange and result in the detachment and annexation of approximately 0.901 acres from the City of Orange to the City of Garden Grove and the Garden Grove Sanitary District. On April 6, 2017, the Planning Commission held a Public Hearing to consider General Plan Amendment No. GPA-001-2017, Planned Unit Development No. PUD-006-2017, Tentative Tract Map No. TT-17927-2017, Site Plan No. SP-028-2017, and Development Agreement No. DA-006-2017. In addition to the applicant, one (1) member of the public came forward to speak in support of the project. By a vote of 6-0 (with 1 commissioner absent), the Planning Commission adopted Resolutions (1) recommending City Council adoption of a Mitigated Negative Declaration and a Mitigation Monitoring and Reporting Program for the proposed Project and approval of GPA-001-2017, PUD-006-2017, and DA-006-2017, and (2) contingently approving SP-028-2017 and TT-17927-2017, subject to specified conditions of approval.

DISCUSSION

Project Summary:

The proposed Project is described in detail in the April 6, 2017, Planning Commission Staff Report (Attachment 1). It consists of a gated small lot subdivision with 70 single-family residential detached units with attached enclosed two-car garages, along with related street and open space improvements, and has been designed to satisfy the special requirements set forth in Municipal Code Section 9.12.040.060 for Small Lot Subdivisions.

On April 6, 2017, the Planning Commission approved Site Plan No. SP-028-2017 and Tentative Tract Map No. TT-1797-2017 for the proposed Project, along with related conditions of approval. (See Attachment 2). These approvals are contingent upon the City Council's approval of the proposed General Plan and Zoning changes and Orange County LAFCO approval of the proposed detachment/annexation.

Change of Organization:

Orange County LAFCO is the government agency charged with controlling the boundaries of cities and special districts. Per state statute, Orange County LAFCO has the authority to adopt and update a "sphere of influence" for each city and to approve or disapprove all boundary changes/detachments/annexations. A city's "sphere of influence" includes that property located outside of the city that is designated for potential future annexation to the city. In order for Orange County LAFCO to approve the annexation of property to a city, the city's "sphere of influence" must include the property, and the city's General Plan must cover the property. A city is also to "pre-zone" property within its sphere of influence so that zoning and development standards are already in place when and if the property is ultimately annexed to the city.

Currently, a portion of the project site, at the northeast corner, is located within the jurisdictional territory and Sphere of Influence of the City of Orange. Development of the proposed Project requires a sphere of influence change and detachment/annexation of 0.901 acres from the City of Orange to the City of Garden Grove and the Garden Grove Sanitary District. The applicant has requested that the City of Garden Grove initiate the required change of organization with Orange County LAFCO, and the City Attorney has prepared the necessary City Council Resolution to initiate the proceedings. If the City Council approves the proposed General Plan Amendment, Zoning Ordinance, and Resolution authorizing initiation of LAFCO proceedings, City staff will submit an application to LAFCO requesting to amend its sphere of influence and to approve detachment/annexation of the subject 0.901 acres from the City of Orange to the City of Garden Grove and the Garden Grove Sanitary District.

The Cities of Garden Grove and Orange staff have discussed and agreed in principal on the terms of the proposed reorganization of the city boundaries and annexation of the subject 0.901 acres to the City of Garden Grove. The City of Orange has not objected to the proposed reorganization and annexation. In summary, the reorganization consists of: (i) the detachment of 0.901 acres from the City of Orange; (ii) annexation of the same territory to the City of Garden Grove and the Garden Grove Sanitary District; and (iii) concurrent amendment to each agency's sphere of influence. The reorganization would adjust the boundary between the City of Garden Grove and the City of Orange so that it would follow the centerline of Lewis Street north to the centerline of El Prado Avenue. Just north of the triangular section of undeveloped land created by the rerouting of Lewis Street as a result of the construction of the SR-22 freeway, the adjusted boundary would rejoin the existing boundary between the two cities.

City staff has discussed the parameters of the proposal with the property owners and LAFCO is in support of the request. The property owners have agreed to pay all processing fees associated with the annexation and necessary City land use actions and, following the annexation, to pay all generally applicable City taxes and assessments, including the City's Paramedic Tax and City-wide street lighting and park maintenance assessments. These additional tax and assessment revenues will help offset the incremental additional costs of providing fire, police, and other City services to the annexed property.

annexed property.

Once LAFCO proceedings have commenced, a property tax-sharing agreement will need to be negotiated and approved by both the City of Orange (as the de-annexing agency) and the City of Garden Grove (as the annexing agency) prior to the LAFCO taking formal action on the boundary reorganization. Upon completion of the annexation, the City will take over responsibility for providing police, fire, and other city services, including water service, to the property, and will also assume ownership of, and responsibility for all right-of-way and public facilities adjacent to the property that are currently owned by the City of Orange.

Before Orange County LAFCO can act on the City's forthcoming application and approve the sphere of influence amendments and annexation, the City of Garden Grove must amend its General Plan to cover the 0.901 acres of territory and adopt "pre-zoning" for this territory. The Planning Commission has recommended that the City Council approve the proposed General Plan Land Use Map and Zoning Map amendments needed to develop the site and to facilitate the annexation of the subject 0.901 acres to the City of Garden Grove.

General Plan Amendment No. GPA-001-2017:

General Plan Amendment No. GPA-001-2017 would amend the City of Garden Grove's General Plan Land Use Map to modify the General Plan Land Use Designation of the portion of the project site that is located within Garden Grove from Civic/Institutional to Low Density Residential and include the annexed properties under the General Plan Land Use Designation of Low Density Residential. The Low Density Residential (LDR) Land Use Designation is intended for the development of single-family residential neighborhoods. According to the General Plan, densities for the LDR designation range from 1 to a maximum of 9 dwelling units per acre. The proposed project will have a net density of 7.8 dwelling units per acre, which is less than the maximum allowed.

The site's proposed single-family residential type housing is similar and compatible with the surrounding properties, which have both single-family and multi-family housing. The Low Density Residential Land Use designation is appropriate for the site and will ensure that the site is maintained in continuity with surrounding land uses. In the event Orange County LAFCO does not approve the proposed Lewis Street Reorganization (RO 01-17), the General Plan Land Use Designation of site would remain Civic/Institutional.

Planned Unit Development No. PUD-006-2017:

As part of the Project, the City's Zoning Map would be amended to "pre-zone" the portion of the project site to be annexed and to change the zoning of the portion of the project site located in Garden Grove to Residential Planned Unit Development zoning (PUD-006-2017) with R-1 (Single-Family Residential) base zoning. Upon LAFCO approval of the proposed annexation, the

annexed properties would automatically become subject to PUD-006-2017 zoning, with R-1 base zoning. PUD-006-2017 is the residential Planned Unit Development zoning that establishes the development standards of the development, which are subject to the special requirements set forth in Municipal Code Section 9.12.040.060 for Small Lot Subdivisions. In the event Orange County LAFCO does not approve the proposed Lewis Street Reorganization (RO 01-17), the site's existing zoning would remain.

Development Agreement:

The property owner will enter into a Development Agreement with the City. Pursuant to the proposed Development Agreement, the property owner will be guaranteed four years in which to construct the project in accordance with the approved General Plan designation, PUD zoning, Site Plan and Tentative Tract Map, and the City will receive from the

and zoning, site plan and tentative tract map, and the City will receive from the developer a Development Agreement fee not to exceed \$134,120.00. The Development Agreement is intended to ensure that the Project Applicant has provided funding sufficient to ensure that the infrastructure and public facilities required by development of the Project site are constructed, and that the infrastructure and public facilities would be available no later than when required to serve the demand generated by development of the property.

Environmental Review:

In conjunction with the proposed project, the City (through a consultant) has prepared an initial study and Mitigated Negative Declaration ("IS/MND") in accordance with the California Environmental Quality Act ("CEQA") analyzing the potential environmental impacts of the proposed small lot subdivision with 70 single-family detached residential units and related street and open space improvements. In accordance with CEQA, the City made the IS/MND available for public review and comment, and the public review period ended on April 4, 2017. Comments received and responses to comments have also been made available for public review. 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. The Planning Commission has adopted a Resolution recommending that the Garden Grove City Council adopt a Mitigated Negative Declaration and an associated Mitigation Monitoring and Reporting Program for the Project.

FINANCIAL IMPACT

Annexation of the subject 0.901 acres of property from the City of Orange to the City of Garden Grove will result in additional costs to the City associated with the extension of City services to the property. City staff has discussed the parameters of the proposal with the property owners and LAFCO and is in support of the request. The property owners have entered into an agreement with the City that will be effective following the annexation, to pay all generally applicable City taxes and assessments, including the City's Paramedic Tax and City-wide street lighting and park maintenance assessments. These additional tax and assessment revenues will help offset the incremental additional costs of providing fire, police, and other City services to the annexed property.

RECOMMENDATION

It is recommended that the City Council:

- Conduct a Public Hearing;
- Adopt a Mitigated Negative Declaration and an associated Mitigation Monitoring and Reporting Program for the Project;
- Adopt a Resolution approving General Plan Amendment No. GPA-001-2017 to amend the City of Garden Grove's General Plan Land Use Map to modify the General Plan Land Use Designation of the portion of the project site that is located within the City of Garden Grove from Civic/Institutional to Low Density Residential and to include the properties to be annexed under the General Plan Land use Designation of Low Density Residential;
- Introduce and conduct the first reading of an Ordinance approving Planned Unit Development No. PUD-006-2017 to amend the City's official Zoning Map to change the zoning for the portion of the project site that is located within the City of Garden Grove and to "pre-zone" the properties to be annexed to residential Planned Unit Development zoning (PUD-006-2017) with R-1 (Single-Family Residential) base

Development zoning (PD-000-2017) with R-1 (Single-Family Residential) base zoning;

- Introduce and conduct the first reading of an Ordinance approving Development Agreement No. DA-006-2017;
- Adopt a Resolution authorizing the initiation of, and recommending the Orange County Local Agency Formation Commission take, proceedings for the Lewis Street Reorganization (RO01-17), consisting of the detachment and annexation of approximately 0.901 acres of territory from the City of Orange to the City of Garden Grove and the Garden Grove Sanitary District, in the manner provided by the Cortese/Knox/Hertzberg Local Government Reorganization Act of 2000;
- Authorize the City Manager to take all actions and execute all documents necessary to initiate and process an application with LAFCO for Lewis Street Reorganization (RO 01-17) and to negotiate a property tax exchange agreement; and
- Authorize the City Clerk to execute a certificate of acceptance of all property interests to be transferred from the City of Orange to the City of Garden Grove pursuant to Lewis Street Reorganization (RO 01-17).

By: Chris Chung, Associate Planner

ATTACHMENTS:

Description	Upload Date	Type	File Name
Planning Commission Staff Report dated April 6, 2017	5/1/2017	Cover Memo	Planning_Commission_Staff_Report_dated_April_6__2017.doc
Planning Commission Resolution No. 5877-17	5/1/2017	Cover Memo	Planning_Commission_Resolution_No._5877-17.doc
Planning Commission Resolution No. 5878-17	5/1/2017	Cover Memo	Planning_Commission_Resolution_No._5878-17.doc
Exhibit A Conditions of Approval for Resolution No. 5878-17	5/1/2017	Cover Memo	Exhibit_A_Conditions_of_Approval_for_Resolution_No._5878-17.doc
Planning Commission Minute Excerpt of April 6, 2017	5/1/2017	Cover Memo	Planning_Commission_Minute_Excerpt_of_April_6__2017.docx
Initial Study Mitigated Negative Declaration			

and Mitigation Monitoring and Reporting Program along with Comments Received and Responses to Comments	5/1/2017	Cover Memo	GPA-001-2017_FINAL_IS-MND.pdf
Mitigated Neg Dec, Mitigation Monitoring and Reporting	5/18/2017	Resolution Letter	5-23-17_GPA-001-2017MNDReso_Rev1_5-1-17.pdf
Resolution GPA-001- 2017	5/18/2017	Resolution Letter	5-23-17_GPA-001-2017GPAREso_Rev1_5-1-17.pdf
Exhibit for Amendment to City of Garden Grove General Plan Land Use Map	5/1/2017	Exhibit	Exhibit_for_Amendment_to_City_of_Garden_Grove_General_Plan_Land_Use_Map.pdf
ORD PUD- 006-2017	5/18/2017	Ordinance	5-23-17_GPA-001-2017PUDOrd_Rev1_5-1-17.pdf
Exhibit for Amendment to City of Garden Grove Zoning Map	5/1/2017	Exhibit	Exhibit_for_Amendment_to_City_of_Garden_Grove_Zoning_Map.pdf
ORD DA-006- 20017	5/18/2017	Ordinance	5-23-17_GPA-001-2017DAOrd_Rev1_5-1-17.pdf
Development Agreement No. DA-006- 2017	5/1/2017	Exhibit	GPA-001-2017DA_5-1-17.doc
Resolution Lewis Street Reorganization RO 01-17	5/18/2017	Resolution Letter	5-23-17_GPA-001-2017ResoLewisStreetReorg_Rev1_5-1-17.pdf
Lewis Street Reorganization RO 01-17 exhibit A	5/18/2017	Exhibit	5-23-17_GPA-001-2017ResoLewisStreet_RO_01-17_exhibit_A.pdf

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

AGENDA ITEM NO.: C.1.	SITE LOCATION: Northwest corner of Lewis Street and Garden Grove Boulevard, at 12901 Lewis Street
HEARING DATE: April 6, 2017	CURRENT GENERAL PLAN LAND USE DESIGNATION: Civic/Institutional PROPOSED GENERAL PLAN LAND USE DESIGNATION: Low Density Residential
CASE NO: General Plan Amendment No. GPA-001-2017, Planned Unit Development No. PUD-006-2017, Tentative Tract Map No. TT-17927-2017, Site Plan No. SP-028-2017, & Development Agreement No. DA-006-2017	CURRENT ZONING: R-1 (Single-Family Residential) PROPOSED ZONING: PUD-006-2017 (Planned Unit Development) (Base Zone: R-1)
APPLICANT: Shea Homes	CEQA DETERMINATION: Mitigated Negative Declaration
PROPERTY OWNER(S): Christ Catholic Cathedral Facilities Corp.	APNs: 231-041-26, 231-041-27, 231-041-28, & 231-255-01

REQUEST:

A request by Shea Homes to develop a gated small lot subdivision with 70 single-family detached residential units and related street and open space improvements on a 9.01-acre site located in the Cities of Garden Grove and Orange, at the northwest corner of Lewis Street and Garden Grove Boulevard, at 12901 Lewis Street (Assessor's Parcel Nos. 231-041-26, 231-041-27, 231-041-28, and 231-255-01).

A portion of the project site is located within the city limits of the City of Orange. The project includes a proposed sphere of influence change and annexation of 0.901 acres from the City of Orange to the City of Garden Grove. Subsequent to the City Council approval of the project, an application with the Orange County Local Agency Formation Commission ("LAFCO") will be submitted to concurrently amend the spheres of influence of the Cities of Garden Grove and Orange, and to approve the annexation of the 0.901 acres into the City of Garden Grove.

Before LAFCO can consider approval of the sphere of influence change and annexation, the City of Garden Grove must act to extend the City's General Plan and zoning to the property to be annexed. As part of the Project, the Planning Commission will consider a recommendation for City Council approval of amendments to the City's General Plan Land Use Map and Zoning Map in conjunction with the proposed annexation. Said amendments would: (i) modify the General Plan Land Use Designation of the portion of the project site that is located within the City of Garden Grove from Civic/Institutional to Low Density Residential

and adopt Residential Planned Unit Development zoning (PUD-006-2017) with R-1 (Single-Family Residential) base zoning; (ii) amend the City of Garden Grove's official General Plan Land Use Map to include the annexed properties under the General Plan Land Use Designation of Low Density Residential; and (iii) amend the City's official Zoning Map to "pre-zone" the annexed properties and adopt Residential Planned Unit Development zoning (PUD-006-2017) with R-1 (Single-Family Residential) base zoning.

The Planning Commission will also consider contingent approval of a Site Plan and Tentative Tract Map to subdivide the proposed 70-unit small-lot, single-family residential subdivision, along with a recommendation for City Council approval of a Development Agreement with the applicant. Finally, 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 for the project.

BACKGROUND:

The site is a 9.01-acre lot, located on the northwest corner of Lewis Street and Garden Grove Boulevard. Until 1962, the site and much of the surrounding area was planted with orchards and pastures. In 1965, the orchards on the site were cleared and the church, rectory, parish hall, administrative buildings, classroom buildings, recreation area for the school, and parking areas were constructed. At that time, a Conditional Use Permit was not required for religious institutions, and much of the surrounding area was developed for residential use. In 1972, a school building was constructed on the west side of the site, Lewis Street was realigned to the present configuration, and the SR-22 freeway was constructed. From 1977 to 1995, development of the surrounding area continued and the site remained unchanged.

In 1999, the City of Garden Grove approved Site Plan No. SP-239-99, Conditional Use Permit No. CUP-445-99, and Variance No. V-250-99, which allowed for the construction of a 15,500 square foot sanctuary church building and a spire above the height limits permitted in the R-1 zone, CUP approval to operate a religious institution, and variance approval to allow a reduction in the number of required on-site parking spaces. In 2005, the church improvements were completed, and the site has remained unchanged ever since.

Currently, a portion of the project site, at the northeast corner, is located within the jurisdictional territory and Sphere of Influence of the City of Orange. These project site areas to be annexed into the City of Garden Grove are not within the Garden Grove Sanitary District's service area. The properties to be annexed are currently located within the O-P (Office Professional) zone under the City of Orange Zoning Map.

DISCUSSION:**Annexation/Sphere of Influence Change:**

Orange County LAFCO is the government agency charged with controlling the boundaries of cities and special districts. Per state statute, Orange County LAFCO has the authority to adopt and update a "sphere of influence" for each city and to approve or disapprove all boundary changes/annexations. A city's "sphere of influence" includes that property located outside of the city that is designated for potential future annexation to the city. In order for Orange County LAFCO to approve the annexation of property to a city, the city's "sphere of influence" must include the property, and the city's General Plan must cover the property. A city may also "pre-zone" property within its sphere of influence so that zoning and development standards are already in place when and if the property is ultimately annexed to the city.

Subsequent to City Council approval of the subject entitlements (i.e., General Plan Amendment, PUD zoning, Tentative Tract Map, Site Plan, and Development Agreement), the City of Garden Grove will submit an application to LAFCO requesting to amend its sphere of influence and to approve annexation of the subject 0.901 acres from the City of Orange to the City of Garden Grove. The Cities of Garden Grove and Orange have discussed and agreed in principal on the terms of the proposed reorganization of the city boundaries and annexation of the subject 0.901 acres to the City of Garden Grove. The City of Orange has not objected to the proposed reorganization and annexation. In summary, the reorganization consists of: (i) the detachment of 0.901 acres from the City of Orange; (ii) annexation of the same territory to the City of Garden Grove and the Garden Grove Sanitary District; and (iii) concurrent amendment to each agency's sphere of influence. The reorganization would adjust the boundary between the City of Garden Grove and the City of Orange so that it would follow the centerline of Lewis Street north to the centerline of El Prado Avenue. Just north of the triangular section of undeveloped land created by the rerouting of Lewis Street as a result of the construction of the SR-22 freeway, the adjusted boundary would rejoin the existing boundary between the two cities.

City Staff has discussed the parameters of the proposal with the property owners and LAFCO and is in support of the request. The property owners have entered into an agreement with the City to pay all processing fees associated with the annexation and necessary City land use actions and, following the annexation, to pay all generally applicable City taxes and assessments, including the City's Paramedic Tax and City-wide street lighting and park maintenance assessments. These additional tax and assessment revenues will help offset the incremental additional costs of providing fire, police, and other City services to the annexed property.

A property tax-sharing agreement must be negotiated and approved by both the City of Orange (as the de-annexing agency) and the City of Garden Grove (as the annexing agency) prior to the LAFCO taking formal action on the boundary reorganization. Upon completion of the annexation, the City will take over responsibility for providing police, fire, and other city services, including water service, to the property, and will also assume ownership of, and responsibility for all

right-of-way and public facilities adjacent to the property that are currently owned by the City of Orange. A copy of the Orange County LAFCO "Standard Terms and Conditions" pertaining to the proposed annexation are attached to the Staff Report for the Planning Commission's information.

Before Orange County LAFCO can act on the City's forthcoming application and approve the sphere of influence amendments and annexation, the City of Garden Grove must amend its General Plan to cover the property and adopt "pre-zoning" for the property. The Planning Commission is requested to review and make a recommendation to the City Council regarding the proposed General Plan Land Use Map and Zoning Map amendments needed to facilitate the annexation of the subject 0.901 acres to the City of Garden Grove.

General Plan Amendment No. GPA-001-2017:

The proposed General Plan Amendment No. GPA-001-2017 would amend the City of Garden Grove's General Plan Land Use Map to modify the General Plan Land Use Designation of the portion of the project site that is located within the City of Garden Grove from Civic/Institutional to Low Density Residential and include the annexed properties under the General Plan Land Use Designation of Low Density Residential. The Low Density Residential (LDR) Land Use Designation is intended for the development of single-family residential neighborhoods. According to the General Plan, densities for the LDR designation range from 1 to a maximum of 9 dwelling units per acre. The proposed project will have a net density of 7.8 dwelling units per acre, which is less than the maximum allowed.

The site's proposed single-family residential type housing is similar and compatible with the surrounding properties, which have both single-family and multi-family housing. Accordingly, Staff finds that the Low Density Residential Land Use designation is appropriate for the site and will ensure that the site is maintained in continuity with surrounding land uses.

Planned Unit Development No. PUD-006-2017:

As part of the Project, the City's Zoning Map would be amended to "pre-zone" the portion of the project site to be annexed and to change the zoning of the portion of the project site located in Garden Grove to Residential Planned Unit Development zoning (PUD-006-2017) with R-1 (Single-Family Residential) base zoning. Upon LAFCO approval of the proposed annexation, the annexed properties would automatically become subject to PUD-006-2017 zoning, with R-1 base zoning. PUD-006-2017 is the residential Planned Unit Development zoning that establishes the development standards of the development, which are subject to the special requirements set forth in Municipal Code Section 9.12.040.060 for Small Lot Subdivisions.

SITE PLAN:**PROJECT STATISTICS:**

	Provided	Code
Lot Size	9.01 Acres	3.0 Acres
Density	7.8 units/acre	9 units/acre
Private/Common Open Space	14,089 sq. ft.	14,000 sq. ft.
		(200 sq. ft. per unit)
Parking		
Enclosed Garage	140	140
Guest Parking Space in Driveway	70	70
Unassigned Guest Parking On-Street	53	53
Total	263	263
Building Height	28'-0"	35'-0"

Building Type Summary	Number of Bedrooms/Baths	Unit Size	# of Units
Plan 1	4 Bed, 4 Baths	2,451 sq. ft.	35
Plan 2	4 Bed, 4 Baths	2,689 sq. ft.	35
Total # of Units			70

Site Design and Circulation

The project consists of 70 single-family residential detached units with attached enclosed two-car garages. Each unit is accessible from the private street, which circulates throughout the development.

The width of the private street typically ranges from 28'-0" (where on-street parallel parking stalls are provided on one side of the street) to 36'-0" (where on-street parallel parking stalls are provided on both sides of the street).

Main access to the site will be from Lewis Street via an enhanced entry driveway that will include decorative paving and landscaping. There will be two (2) 20'-0" wide remote operable vehicular access gates, one providing ingress and the other providing egress. The main entry gate is designed to meet the City of Garden Grove's standard gate entry requirements. The site will maintain one (1) emergency vehicle access point, off Garden Grove Boulevard, at the southwest corner of the development, which will be fitted with a Fire Department Knox box system for emergency access. A code-protected pedestrian gate adjacent to the vehicular gate will also be included for residents and guests.

Between each home, a 4'-0" side yard setback is provided to the property lines providing a total of 8'-0" of separation between units. Sides of units that abut the internal private street are setback 8'-0". Depending on the abutting use, each unit

provides a rear setback ranging from 15'-0" to 30'-0", meeting the minimum required by Code. Each unit meets the minimum driveway depth requirement of 19'-0" in front of each garage.

The Municipal Code requires a minimum of 200 square feet per unit of common recreation area that is accessible to all residents and guests within the community. Based on the number of units proposed, the development is required to provide a common recreation area that is at least 14,000 square feet in area. The project complies with Code requirements, by providing a 14,089 square foot active recreational open space area which is located near the entrance of the residential community and is available for communal use. The recreation area features amenities which include a playground, open turf area, two (2) covered barbecue dining areas, and a shade structure with built-in bench seating.

Parking

The project provides a total of 263 parking spaces, which meets the minimum number of parking spaces required by Code. The breakdown of parking spaces includes: 140 garaged parking spaces, 70 driveway parking spaces, and 53 unassigned open guest on-street parking spaces.

Perimeter Walls and Landscaping

The applicant is proposing to construct six-foot high decorative concrete slump block walls around the perimeter of the development. In addition, six-foot high block walls are proposed along the interior property lines of each unit. All block walls, which face a public vantage point along Garden Grove Boulevard and Lewis Street, will be fitted with decorative caps. Pilasters will have a stone veneer treatment. An enhanced landscape treatment is proposed, in the 10'-0" wide site perimeter setback between the block wall and the street frontage property lines. The enhanced landscaping within this area will include trees, shrubs, vines, and flowering ground covers and turf in a hierarchical design order.

The passive open space areas within the common areas of the development will include a combination of golden rain trees, camphor trees, crape myrtle trees, southern magnolia trees, date palms, and various other landscape plantings maintained by the Homeowners Association (HOA). Landscaping in the front yard of each residential unit would include shrubs and trees and would be maintained by the individual homeowners.

In total, 148,600 square feet (3.41 acres) of landscaping will be installed. All HOA-maintained landscaped areas would be irrigated with an electronically operated irrigation system utilizing water sensors and programmable irrigation cycles. The irrigation systems will be in conformance with the City's water efficiency guidelines.

Unit Design

The project consists of 70 single-family residential homes with two (2) different two-story floor plans (Plan 1 and Plan 2), and all with attached two-car garages. Plan 1 is a 2,451 square foot unit with four (4) bedrooms and four (4) bathrooms.

Plan 2 is a 2,689 square foot unit, also with four (4) bedrooms and four (4) bathrooms. Plan 1 features a customizable option for the fourth bedroom, which would increase the size of this room. All units feature private outdoor areas to the sides and rear of the units. Each garage will have access from the private driveway within the development.

Building Architecture

The architectural style of the homes incorporates influences from Santa Barbara, Andalusian, Monterey, and Formal Spanish design styles. Plan 1 will be available in two (2) elevation styles – Monterey and Formal Spanish. Plan 2 will be available in three (3) elevation styles – Formal Spanish, Andalusian, and Santa Barbara. Each home will exhibit enhanced elevations with multi-toned stucco exteriors, varied rooflines, flat concrete tile roofing, building pop-outs, decorative shutters, balconies, stone veneer or brick treatment, and decorative window trims.

TENTATIVE TRACT MAP:

In accordance with the State Subdivision Map Act, the developer has filed a tentative tract map for the project to subdivide the subject property into 70 separate lots. The 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.

DEVELOPMENT AGREEMENT:

The applicant will enter into a Development Agreement with the City. Pursuant to the proposed Development Agreement, the applicant will be guaranteed four years in which to construct the project in accordance with the approved General Plan designation, PUD zoning, Site Plan and Tentative Tract Map, and the City will receive from the developer a Development Agreement fee not to exceed \$134,120.00. The Development Agreement is intended to ensure that the Project Applicant has provided funding sufficient to ensure that the infrastructure and public facilities required by development of the Project site are constructed, and that the infrastructure and public facilities would be available no later than when required to serve the demand generated by development of the property. The Planning Commission recommendation on the Development Agreement will be forwarded to the City Council for final action.

Environmental Review:

In conjunction with the proposed project, the City (through a consultant) has prepared an initial study and Mitigated Negative Declaration ("IS/MND") in accordance with the California Environmental Quality Act ("CEQA") analyzing the potential environmental impacts of the proposed small lot subdivision with 70 single-family detached residential units and related street and open space improvements. 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. City Staff is requesting that the Planning Commission hold a public hearing and adopt the attached Resolution recommending that the Garden Grove City Council adopt a Mitigated Negative Declaration and an associated Mitigation Monitoring and Reporting Program for the Project.

RECOMMENDATION:

Staff recommends that the Planning Commission:

- Adopt the attached Resolution No. 5877-17 recommending that the Garden Grove City Council: (i) approve General Plan Amendment No. GPA-001-2017 to amend the City of Garden Grove's General Plan Land Use Map to modify the General Plan Land Use Designation of the portion of the project site that is located within the City of Garden Grove from Civic/Institutional to Low Density Residential and include the properties to be annexed under the General Plan Land Use Designation of Low Density Residential; (ii) adopt Residential Planned Unit Development zoning (PUD-006-2017) with R-1 (Single-Family Residential) base zoning for the portion of the project site that is located within the City of Garden Grove and amend the City's official Zoning Map to "pre-zone" the properties to be annexed and adopt Residential Planned Unit Development zoning (PUD-006-2017) with R-1 (Single-Family Residential) base zoning; (iii) adopt a Mitigated Negative Declaration and an associated Mitigation Monitoring and Reporting Program for the Project; and (iv) approve Development Agreement No. DA-006-2017; and
- Adopt the attached Resolution No. 5878-17 approving Site Plan No. SP-028-2017 and Tentative Tract Map No. TT-17927-2017, subject to the recommended Conditions of Approval, and contingent upon (1) City Council adoption of Resolution No. 5877-17, and (2) Orange County Local Agency Formation Commission ("LAFCO") approval of the subject sphere of influence change and annexation.

Lee Marino
Planning Services Manager

By: Chris Chung
Associate Planner

Attachment No. 1: Site Map

Attachment No. 2: Orange County LAFCO Standard Terms and Conditions

RESOLUTION NO. 5877-17

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE RECOMMENDING THAT THE CITY COUNCIL: (I) ADOPT A MITIGATED NEGATIVE DECLARATION AND AN ASSOCIATED MITIGATION MONITORING AND REPORTING PROGRAM FOR THE LEWIS STREET REORGANIZATION BETWEEN THE CITY OF GARDEN GROVE AND THE CITY OF ORANGE (RO 17-01) AND RESIDENTIAL PROJECT; (II) APPROVE GENERAL PLAN AMENDMENT NO. GPA-001-2017 TO AMEND THE CITY OF GARDEN GROVE'S GENERAL PLAN LAND USE MAP TO MODIFY THE GENERAL PLAN LAND USE DESIGNATION OF THE PORTION OF THE PROJECT SITE THAT IS LOCATED WITHIN THE CITY OF GARDEN GROVE FROM CIVIC/INSTITUTIONAL TO LOW DENSITY RESIDENTIAL AND TO INCLUDE THE PROPERTIES TO BE ANNEXED UNDER THE GENERAL PLAN LAND USE DESIGNATION OF LOW DENSITY RESIDENTIAL; (III) AMEND THE CITY'S OFFICIAL ZONING MAP TO CHANGE THE ZONING FOR THE PORTION OF THE PROJECT SITE THAT IS LOCATED WITHIN THE CITY OF GARDEN GROVE AND TO "PRE-ZONE" THE PROPERTIES TO BE ANNEXED TO RESIDENTIAL PLANNED UNIT DEVELOPMENT ZONING (PUD-006-2017) WITH R-1 (SINGLE-FAMILY RESIDENTIAL) BASE ZONING; AND (IV) APPROVE DEVELOPMENT AGREEMENT NO. DA-006-2017 BETWEEN THE CITY OF GARDEN GROVE AND CHRIST CATHOLIC CATHEDRAL FACILITIES CORPORATION.

WHEREAS, Shea Homes, the applicant, submitted a request to develop a gated small lot subdivision with 70 single-family detached residential units and related street and open space improvements on a 9.01-acre site located in the Cities of Garden Grove and Orange, at the northwest corner of Lewis Street and Garden Grove Boulevard, at 12901 Lewis Street (Assessor's Parcel Nos. 231-041-26, 231-041-27, 231-041-28, and 231-255-01) (the "Property"), which is owned by Christ Catholic Cathedral Facilities Corporation; and

WHEREAS, the applicant has requested the following approvals to facilitate the proposed development: (i) detachment from the City of Orange and annexation to the City of Garden Grove of 39,328 square feet or 0.901 acres; (ii) General Plan Amendment No. GPA-001-2017 to amend the City of Garden Grove General Plan Land Use Map to apply a General Plan Land Use Designation of Low Density Residential to the Property; (iii) Planned Unit Development No. PUD-006-2017 to rezone and "pre-zone" the Property residential Planned Unit Development with R-1 (Single-Family Residential) base zoning; (iv) Tentative Tract Map No. TT-17927-2017 to subdivide the subject property into 70 single-family residential lots; (v) Site Plan No. SP-028-2017; and (v) Development Agreement No. DA-006-2017 (collectively, the "Project").

WHEREAS, a portion of the Project site is located within the city limits of the City of Orange, and for purposes of analysis under the California Environmental Quality Act ("CEQA"), the proposed Project includes action by the Orange County Local Agency Formation Commission ("LAFCO") to approve amendments to the respective spheres of influence of the Cities of Orange and Garden Grove,

detachment of the subject 0.901 acres from the City of Orange, and annexation of the subject 0.901 acres to the City of Garden Grove; and

WHEREAS, provided the Project is approved and a Mitigated Negative Declaration and an associated Mitigation Monitoring and Reporting Program for the Project are adopted by the City Council, the City of Garden Grove will submit an application to the Orange County LAFCO for the necessary sphere of influence amendments and detachment/annexation of the subject 0.901 acres; and

WHEREAS, the area proposed to be detached from the City of Orange and annexed into the City of Garden Grove contains approximately 39,328 square feet or 0.901 acres, involving a reorganization of the existing boundary between the Cities, designation of the subject property Low Density Residential in the City of Garden Grove General Plan Land Use Map, and pre-zoning of the subject property to Planned Unit Development No. PUD-006-2017 with R-1 (Single-Family Residential) base zoning; and

WHEREAS, the adoption of the necessary land use actions by the City of Garden Grove to extend the City's General Plan to cover the properties to be annexed and to "pre-zone" the properties are prerequisites to LAFCO's approval of the proposed sphere of influence amendments and detachment/annexation; and

WHEREAS, proposed General Plan Amendment No. GPA-001-2017 would amend the City of Garden Grove's General Plan Land Use Map to modify the General Plan Land Use Designation of the portion of the project site that is located within the City of Garden Grove from Civic/Institutional to Low Density Residential and include the properties to be annexed under the General Plan Land Use Designation of Low Density Residential; and

WHEREAS, proposed Planned Unit Development No. PUD-006-2017 would amend the City of Garden Grove Zoning Map to "pre-zone" the portion of the Property to be annexed and to change the zoning of the portion of the Property located in Garden Grove to Residential Planned Unit Development zoning (PUD-006-2017) with R-1 (Single-Family Residential) base zoning, incorporating the special requirements for Small Lot Subdivisions set forth in Garden Grove Municipal Code Section 9.12.040.060 as the applicable development standards for the Planned Unit Development and Tentative Tract Map No. TT-17927-2017 and Site Plan No. SP-028-2017 and their associated conditions of approval as the development plan for the Planned Unit Development; and

WHEREAS, proposed Development Agreement No. DA-006-2017 between the City of Garden Grove and Christ Catholic Cathedral Facilities Corporation would guarantee the property owner four years in which to construct the Project in accordance with the approved General Plan designation, PUD zoning, Site Plan and

Tentative Tract Map; provide for payment of a Development Agreement fee not to exceed \$134,120.00 to the City; and ensure that the applicant has provided funding sufficient to ensure that the infrastructure and public facilities required by development of the Project site are constructed and that the infrastructure and public facilities would be available no later than when required to serve the demand generated by development of the Property; 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 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. 5878-17 approving Tentative Tract Map No. TT-17927-2017 and Site Plan No. SP-028-2017, subject to (i) the City Council's approval of a Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the Project, General Plan Amendment No. GPA-001-2017, Planned Unit Development No. PUD-006-2017, and Development Agreement No. DA-006-2017; and (ii) LAFCO approval of the proposed sphere of influence amendments and detachment/annexation; and

WHEREAS, at its regular meeting held April 6, 2017, 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 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 proposed project qualifies for a Mitigated Negative Declaration

because the proposed 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 (i) adopt the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the Project and (ii) approve General Plan Amendment No. GPA-001-2017, Planned Unit Development No. PUD-006-2017, and Development Agreement No. DA-006-2017, subject to LAFCO approval of the proposed sphere of influence amendments and detachment/annexation.

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 a 9.01-acre lot, located on the northwest corner of Lewis Street and Garden Grove Boulevard. Approximately 0.901 acres, at the northeast portion of the site, is located in the City of Orange and is proposed to be detached from the City of Orange and annexed to the City of Garden Grove as part of the Project. The portion of the site within the City of Orange is currently zoned O-P (Office Professional), with a General Plan Land Use Designation of Medium Density Residential. The remainder of the site is located within the City of Garden Grove and is currently zoned R-1 (Single-Family Residential), with a General Plan Land Use Designation of Civic/Institutional. The site is currently developed with a religious institution, a private school building, surface parking, and related improvements. Surrounding properties contain both single-family and multi-family housing.

The proposed legislative actions would amend the City's General Plan Land Use Map and Zoning Map to apply a General Plan Land Use Designation of Low Density Residential and Residential Planned Unit Development zoning, with R-1 base zoning, to the entire site in order to facilitate the proposed annexation and the redevelopment of the site with a gated small lot subdivision with 70 single-family detached residential units on separate lots and related street and open space improvements. The resulting density of the proposed Project would be 7.8 dwelling units per acre. The special requirements for Small Lot Subdivisions set forth in Garden Grove Municipal Code Section 9.12.040.060 would serve as the applicable development standards for the Planned Unit Development. A Tentative Tract Map and Site Plan for the Project, along with related conditions of approval, are being considered concurrently with the General Plan and Zoning Map amendments, and will serve as the development plan for the proposed Planned Unit Development.

Pursuant to the proposed development plan, the Project would consist of 70 single-family detached residential homes ranging in size from 2,451 square feet to 2,689 square feet, all with attached two-car garages accessible from a private street that circulates throughout the development. All units feature private outdoor areas to the sides and rear of the units. The proposed architectural style of the homes incorporate influences from Santa Barbara, Andalusian, Monterey, and Formal Spanish design styles, and each home is proposed to exhibit enhanced elevations with multi-toned stucco exteriors, varied rooflines, flat concrete tile roofing, building pop-outs, decorative shutters, balconies, stone veneer or brick treatment, and decorative window trims. A four-foot side yard setback for each home is proposed, resulting in a total separation of eight feet between homes. Rear setbacks range from fifteen to thirty feet.

Main access to the site will be from Lewis Street via a gated enhanced entry driveway that will include decorative paving and landscaping. One emergency vehicle access point, off Garden Grove Boulevard, at the southwest corner of the development, is proposed.

A 14,089 square foot active recreational open space area will be located near the entrance of the residential community and be available for communal use. The recreation area features amenities which include a playground, open turf area, two (2) covered barbecue dining areas, and a shade structure with built-in bench seating.

A total of 263 parking spaces are proposed, which meets the minimum number of parking spaces required by Code. The breakdown of parking spaces include: 140 garaged parking spaces, 70 driveway parking spaces, and 53 unassigned open guest parking on street spaces.

The applicant is proposing to construct six-foot high decorative concrete slump block walls around the perimeter of the development. In addition, six-foot high block walls are proposed along the interior property lines of each unit. All block walls, which face a public vantage point along Garden Grove Boulevard and Lewis Street, will be fitted with decorative caps. Pilasters will have a stone veneer treatment. An enhanced landscape treatment is proposed, in the 10'-0" wide site perimeter setback between the block wall and the street frontage property lines. The enhanced landscaping within this area will include trees, shrubs, vines, and flowering ground covers and turf in a hierarchical design order.

The passive open space areas within the common areas of the development will include a combination of golden rain trees, camphor trees, crape myrtle trees, southern magnolia trees, date palms, and various other landscape plantings maintained by the Homeowners Association (HOA). Landscaping in the front yard of each residential unit would include shrubs and trees and would be maintained by the individual homeowners. In total, 148,600 square feet (3.41 acres) of landscaping will be installed. All HOA maintained landscaped areas would be irrigated with an electronically operated irrigation system utilizing water sensors and programmable irrigation cycles. The irrigation systems will be in conformance with the City's water efficiency guidelines.

A Development Agreement with the owner of the Property is also proposed. The City is authorized to enter into a Development Agreement with the applicant / property owner pursuant Government Code Section 65864. Pursuant to the proposed Development Agreement, the applicant would be guaranteed four years in which to construct the project in accordance with the approved General Plan designation, PUD zoning, Site Plan and Tentative Tract Map, and the City would receive a Development Agreement fee to reimburse it for the cost of certain City services required by the Project that are not otherwise being reimbursed to the City.

The effectiveness of each of the proposed land use actions would be contingent on approval by Orange County LAFCO of the proposed sphere of influence amendments and annexation.

FINDINGS AND REASONS:

General Plan Amendment

1. Proposed General Plan Amendment No. GPA-001-2017 is internally consistent with the goals, policies, and elements of the General Plan.

The proposed General Plan Amendment No. GPA-001-2017 would amend the City of Garden Grove's General Plan Land Use Map to modify the General Plan

Land Use Designation of the portion of the project site that is located within the City of Garden Grove from Civic/Institutional to Low Density Residential and include the annexed properties under the General Plan Land Use Designation of Low Density Residential, in order to facilitate annexation of the subject 0.901 acres to the City of Garden Grove and the redevelopment of the combined 9.01-acre site with a gated small lot subdivision with 70 single-family detached residential units on separate lots and related street and open space improvements.

The Low Density Residential (LDR) Land Use Designation is intended for the development of single-family residential neighborhoods. According to the General Plan, densities for the LDR designation range from 1 to a maximum of 9 dwelling units per acre. The proposed project will have a net density of 7.8 dwelling units per acre, which is less than the maximum allowed.

The proposed General Plan amendment will facilitate the annexation of the subject 0.901 acres to the City of Garden Grove. Annexation of the subject 0.901 acres to the City of Garden Grove is consistent with General Plan Land Use Element Policy LU-14.2, which directs the City to pursue to the extent feasible exchanges of land with contiguous cities, that will rationalize and clarify City boundaries and will provide minimal costs and maximum benefits to the City. The subject 0.901 acres borders the City of Garden Grove, so extension of the City's boundaries to include the property is rational. Further, the additional cost to the City to provide City services to the property will be minimal, and will be offset by the Development Agreement fees, the additional ad valorem property tax revenue and generally applicable City tax and assessment revenue the City will receive.

Giving the site a Land Use designation of "Low Density Residential" pursuant to the proposed General Plan Amendment is consistent with the goals and policies of the General Plan Land Use Element, including Policy LU-2.4, which encourages the City to assure that the type and intensity of land use shall be consistent with that of the immediate neighborhood. The site's proposed single-family residential type housing is similar and compatible with the surrounding properties, which have both single-family and multi-family housing. Accordingly, Staff finds that the Low Density Residential Land Use designation is appropriate for the site and will ensure that the site is maintained in continuity with surrounding land uses.

2. The proposed General Plan Amendment will promote the public interest, health, safety and welfare.

The proposed General Plan Amendment will facilitate the annexation of the subject 0.901 acres to the City of Garden Grove, thereby rationalizing

municipal boundaries in the area, extending police, fire, and other City services to the property. The proposed General Plan Amendment will also facilitate the proposed 70-unit small lot subdivision development, which will ensure that the future use and development of the property will be consistent with the use and development permitted on nearby properties within the City of Garden Grove.

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-001-2017 would amend the City of Garden Grove's General Plan Land Use Map to modify the General Plan Land Use Designation of the portion of the project site that is located within the City of Garden Grove from Civic/Institutional to Low Density Residential and include the annexed properties under the General Plan Land Use Designation of Low Density Residential. The Low Density Residential (LDR) Land Use Designation is intended for the development of single-family residential neighborhoods. According to the General Plan, densities for the LDR designation range from 1 to a maximum of 9 dwelling units per acre. The proposed project will have a net density of 7.8 dwelling units per acre, which is below the maximum allowed.

The site's proposed single-family residential type housing is similar and compatible with the surrounding properties, which have both single-family and multi-family housing. 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 Low Density Land Use designation to the site will not conflict with other provisions or elements of the General Plan.

Planned Unit Development:

1. The location of the buildings, architectural design, and proposed use are compatible with the character of existing residential development in the vicinity, and the Project will be well-integrated into its setting.

The Project is designed to be an attractive, modern small-lot, single-family residential community that is within the allowable density for the Low Density Residential General Plan Land Use Designation and complies with the special

requirements for Small Lot Subdivisions set forth in Garden Grove Municipal Code Section 9.12.040.060. The proposed development includes active open space along with private rear yard areas for the individual property owners. The main entry into the development is from Lewis Street and includes decorative paving, enhanced landscaping, and fencing. The new development will improve the site and is in keeping with well-designed modern residences. The site's proposed single-family residential type housing is similar and compatible with the surrounding properties, which have both single-family and multi-family housing. The design of the project provides a community of single-family homes on the site that will improve the appearance of the neighborhood.

2. The plan will produce a stable and desirable environment and will not cause undue traffic congestion on surrounding streets.

The design of the Project complies with the spirit and intent of the Garden Grove Municipal Code for residential development. The City's Traffic Engineering Division has reviewed the plan and all appropriate conditions of approval have been incorporated to minimize any adverse impacts on surrounding streets. In addition, a traffic impact analysis for the Project was prepared by the City's consultant in conjunction with preparation of the Initial Study for the Project, which concludes that the additional vehicle trips anticipated to be generated as a result of the Project will have a less than significant impact on traffic congestion at impacted nearby intersections.

3. Provision is made for both public and private open spaces.

The Project has been designed in accordance with City Code provisions for providing an adequate amount of public and private open spaces as required by the City's Small-Lot Subdivision Ordinance. The site provides active open space/recreation areas for the prospective residents.

4. Provision is made for the protection and maintenance of private areas reserved for common use.

The conditions of approval for the Project require the formation of a Homeowners Association (HOA) and recordation of CC&Rs (Covenants, Conditions, and Restrictions) providing for long-term maintenance of common areas by the Homeowners' Association, which will be enforceable by the City. Through the conditions of approval for the Project, all necessary agreements for the protection and maintenance of private areas reserved for common use will be in place prior to the start of construction and will be required to be adhered to for the life of the Project.

5. The quality of the Project achieved through the proposed Planned Unit Development zoning is greater than could be achieved under the current zoning.

The Project was designed to create a residential community with a combination of active open space areas, landscaped streets, and on-street guest parking areas on the site. The PUD zoning allows the project to be designed as an integrated community on a network of streets and driveways. The Project meets City Code standards for parking, vehicle access and circulation, and landscaping. The PUD zoning allows the Project to have an overall quality that is greater than the current zoning as it allows a more integrated design of single-family buildings. The design creates a sense of neighborhood with sidewalks, tree-lined streets, and shared open space amenities.

6. Proposed Planned Unit Development No. PUD-001-2017 is consistent with the General Plan.

As part of the Project, the City's Zoning Map would be amended to adopt Residential Planned Unit Development zoning (PUD-006-2017) with R-1 (Single-Family Residential) base zoning for the portion of the project site that is located within the City of Garden Grove and amend the City's official Zoning Map to "pre-zone" the annexed properties and adopt Residential Planned Unit Development zoning (PUD-006-2017) with R-1 (Single-Family Residential) base zoning. The zoning of the site and pre-zoning of the properties to be annexed to Residential Planned Unit Development zoning (PUD-006-2017) with R-1 (Single-Family Residential) base zoning is consistent with the proposed General Plan Land Use designation of Low Density Residential. The Low Density Residential (LDR) Land Use Designation is intended for the development of single-family residential neighborhoods. According to the General Plan, densities for the LDR designation range from 1 to a maximum of 9 dwelling units per acre. The proposed project will have a net density of 7.8 dwelling units per acre, which is below the maximum allowed.

The proposed adoption of Residential Planned Unit Development zoning (PUD-006-2017) with R-1 (Single-Family Residential) base zoning will also facilitate the annexation of the subject 0.901 acres to the City of Garden Grove, which is consistent with General Plan Land Use Element Policy LU-14.2, which directs the City to pursue to the extent feasible exchanges of land with contiguous cities, that will rationalize and clarify City boundaries and will provide minimal costs and maximum benefits to the City. The subject 0.901 acres borders the City of Garden Grove, so extension of the City's boundaries to include the property is rational. Further, the additional cost to the City to provide City services to the property will be minimal, and will be offset by the

Development Agreement fees, the additional ad valorem property tax revenue and generally applicable City tax and assessment revenue the City will receive.

7. Proposed adoption of Planned Unit Development No. PUD-001-2017, with R-1 (Single-Family Residential) base zoning, will promote the public interest, health, safety and welfare.

The proposed adoption of Planned Unit Development No. PUD-001-2017, with R-1 (Single-Family Residential) base zoning will facilitate the annexation of the subject 0.901 acres to the City of Garden Grove, thereby rationalizing municipal boundaries in the area, extending police, fire, and other City services to the property. In conjunction with the proposed adoption of Planned Unit Development No. PUD-001-2017, with R-1 (Single-Family Residential) base zoning, the proposed 70-unit small lot subdivision development will ensure that the future use and development of the property will be consistent with the use and development permitted on nearby properties within the City of Garden Grove.

8. The parcels covered by the proposed amendment to the Zone Map are physically suitable for the Planned Unit Development No. PUD-001-2017, with R-1 (Single-Family Residential) base zoning, pre-zoning designation.

The adoption of Planned Unit Development No. PUD-001-2017, with R-1 (Single-Family Residential) base zoning, for the Property would allow for the subject site to be redeveloped with a gated small lot subdivision with 70 single-family detached residential units on separate lots and related street and open space improvements. The site is a large contiguous site with access to all necessary public infrastructure to adequately serve the proposed residential development. The proposed development meets the development standards for Small Lot Subdivisions set forth in Garden Grove Municipal Code Section 9.12.040.060 and is large enough to accommodate the required parking on-site. The net density of the Property with the proposed Project would be 7.8 dwelling units per acre, which is below the maximum allowed for the Low Density General Plan Land Use Designation.

9. The parcels covered by the proposed amendment to the Zone Map are compatible with surrounding land uses, and the proposed zoning of the site and pre-zoning of the properties to be annexed to Residential Planned Unit Development zoning (PUD-006-2017), with R-1 (Single-Family Residential) base zoning, will ensure a degree of compatibility with the surrounding properties and uses.

Surrounding properties contain single-family and multi-family residential housing. Adoption of Planned Unit Development No. PUD-001-2017, with R-1

(Single-Family Residential) base zoning, for the Property would allow for the subject site to be redeveloped with a gated small lot subdivision with 70 single-family detached residential units on separate lots and related street and open space improvements, converting the use of the Property to a use similar to the use of the surrounding properties. A Planned Unit Development (PUD) is a precise plan, adopted by ordinance that provides the means for the regulation of buildings, structures and uses of land in order to facilitate the implementation of the General Plan. Pursuant to Garden Grove Municipal Code Section 9.16.030, the regulations of the planned unit development are intended to provide for a diversity of uses, relationships, and open spaces in an innovative land plan and design, while ensuring compliance with the provisions of the Municipal Code. A small lot subdivision development adds to the diversity of existing uses, through innovative land plan and design, while ensuring that the proposed development is suitable and compatible with existing surrounding uses. The zoning of the site and pre-zoning of the properties to be annexed to Residential Planned Unit Development zoning (PUD-006-2017) with R-1 (Single-Family Residential) base zoning is consistent with the proposed General Plan Land Use designation of Low Density Residential, and the proposed single-family residential type housing will be similar and compatible with the surrounding properties and uses.

INCORPORATION OF FACTS AND FINDINGS SET FORTH IN STAFF REPORT AND RESOLUTION NO. 5878-17

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 No. 5878-17.

BE IT FURTHER RESOLVED that the Planning Commission does conclude:

1. The General Plan Amendment No. GPA-001-2017, Planned Unit Development No. PUD-006-2017, and Development Agreement No. DA-006-2017, possess characteristics that would indicate justification of the request in accordance with Municipal Code Section 9.32.030.
2. The implementation provisions for Planned Unit Development No. PUD-006-2017 are found under Planning Commission Resolution No. 5878-17 approving Site Plan No. SP-028-2017 and Tract Map No. TT-17927-2017.
4. 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 which are summarized in Exhibit "A" (Mitigation Measures) attached hereto.

Adopted this 6th day of April, 2017

ATTEST:

/s/ GEORGE BRIETIGAM
VICE CHAIR

/s/ JUDITH MOORE
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 April 6, 2017, by the following vote:

AYES:	COMMISSIONERS:	(6)	BRIETIGAM, LAZENBY, LEHMAN, NGUYEN, SALAZAR, TRUONG
NOES:	COMMISSIONERS:	(0)	NONE
ABSENT:	COMMISSIONERS:	(1)	KANZLER

/s/ JUDITH MOORE
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 April 27, 2017.

RESOLUTION NO. 5878-17

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE APPROVING SITE PLAN NO. SP-028-2017 AND TENTATIVE TRACT MAP NO. TT-17927-2017 FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF LEWIS STREET AND GARDEN GROVE BOULEVARD, AT 12901 LEWIS STREET, ASSESSOR'S PARCEL NOS. 231-041-26, 231-041-27, 231-041-28, AND 231-255-01.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on April 6, 2017, does hereby approve Site Plan No. SP-028-2017 and Tentative Tract Map No. TT-17927-2017, for land located at northwest corner of Lewis Street and Garden Grove Boulevard, at 12901 Lewis Street, Assessor's Parcel Nos. 231-041-26, 231-041-27, 231-041-28, and 231-255-01, subject to (i) the Conditions of Approval attached hereto as "Exhibit A"; (ii) Garden Grove City Council adoption of a Mitigated Negative Declaration and Mitigation Monitoring Program for the Project, adoption and effectiveness of a Resolution approving General Plan Amendment No. GPA-001-2017, adoption and effectiveness of an Ordinance approving Planned Unit Development No. PUD-006-2017 with R-1 (Single-Family Residential) base zoning, and adoption of an Ordinance approving Development Agreement No. DA-006-2017; and (iii) LAFCO approval of the proposed sphere of influence amendments and detachment/annexation.

BE IT FURTHER RESOLVED in the matter of Site Plan No. SP-028-2017 and Tentative Tract Map No. TT-17927-2017, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by Shea Homes and proposes the development of a gated small lot subdivision with 70 single-family detached residential units and related street and open space improvements on a 9.01 acre site located in the Cities of Garden Grove and Orange, at the northwest corner of Lewis Street and Garden Grove Boulevard, at 12901 Lewis Street (Assessor's Parcel Nos. 231-041-26, 231-041-27, 231-041-28, and 231-255-01) (the "Property").
2. Approximately 39,328 square feet or 0.901 acres of project site is located within the city limits of the City of Orange, and the proposed Project includes action by the Orange County Local Agency Formation Commission ("LAFCO") to approve a reorganization of the existing boundary between the Cities that requires amendments to the respective spheres of influence of the Cities of Orange and Garden Grove, detachment of the subject 0.901 acres from the City of Orange, and annexation of the subject 0.901 acres to the City of Garden Grove. Provided the Project is approved and a Mitigated Negative Declaration and an associated Mitigation Monitoring and Reporting Program for the Project are adopted by the City Council, the City of Garden Grove will submit an application

to the Orange County LAFCO for the necessary sphere of influence amendments and detachment/annexation of the subject 0.901 acres.

3. The applicant has requested the following approvals to facilitate the proposed development: (i) detachment from the City of Orange and annexation to the City of Garden Grove of 39,328 square feet or 0.901 acres; (ii) General Plan Amendment No. GPA-001-2017 to amend the City of Garden Grove General Plan Land Use Map to apply a General Land Use Designation of Low Density Residential to the Property; (iii) Planned Unit Development No. PUD-006-2017 to rezone and "pre-zone" the Property residential Planned Unit Development with R-1 (Single-Family Residential) base zoning; (iv) Tentative Tract Map No. TT-17927-2017 to subdivide the subject property into 70 single-family residential lots; (v) Site Plan No. SP-028-2017 to construct 70 single-family homes along with street and open space improvements; and (v) Development Agreement No. DA-006-2017 to allow and facilitate the construction of a 70-unit single-family residential small lot subdivision (collectively, the "Project").
4. 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 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.
5. Concurrently with its adoption of this Resolution, the Planning Commission adopted Resolution No. 5877-17 recommending that the City Council (i) adopt the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the Project and (ii) approve General Plan Amendment No. GPA-001-2017, Planned Unit Development No. PUD-006-2017, and Development Agreement No. DA-006-2017, subject to LAFCO approval of the proposed sphere of influence amendments and detachment/annexation.
6. Existing land use, zoning, and General Plan designation of property in the vicinity of the subject property have been reviewed.
7. Report submitted by City staff was reviewed.
8. Pursuant to a legal notice, a public hearing was held on April 6, 2017, 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 April 6, 2017, 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 9.12.040.060, 9.32.030, and 9.40.060, are as follows:

FACTS:

The subject site is a 9.01-acre lot, located on the northwest corner of Lewis Street and Garden Grove Boulevard. The site is currently developed with a religious institution, a private school building, surface parking, and related improvements. Surrounding properties contain both single-family and multi-family housing.

Approximately 0.901 acres at the northeast portion of the site is located in the City of Orange and is proposed to be detached from the City of Orange and annexed to the City of Garden Grove as part of the Project. The portion of the site within the City of Orange is currently zoned O-P (Office Professional), with a General Plan Land Use Designation of Medium Density Residential. The remainder of the site is located within the City of Garden Grove and is currently zoned R-1 (Single-Family Residential), with a General Plan Land Use Designation of Civic/Institutional. The Project includes requests for amendments to the City of Garden Grove General Plan and Zoning Maps to apply a General Plan Land Use Designation of Low Density Residential to the Property and Residential Planned Unit Development zoning, with R-1 (Single-Family Residential) base zoning, to the entire Project site. If approved by the City Council, Planned Unit Development No. PUD-006-2017 will create a precise plan zoning for the property with implementation provisions corresponding to the Project proposed pursuant to Site Plan No. SP-028-2017 and Tentative Tract Map No. TT-17927-2017, and would facilitate the development of the site with seventy (70) single-family residential units. Approval of the proposed Tentative Tract Map and Site Plan will not become effective until and unless the City Council approves the requested General Plan and Zoning Map amendments and Orange County LAFCO approves the requested detachment/annexation.

The site is a 9.01-acre lot, located on the northwest corner of Lewis Street and Garden Grove Boulevard. Until 1962, the site and much of the surrounding area were planted with orchards and pastures. In 1965, the orchards on the site were cleared and the church, rectory, parish hall, administrative buildings, classroom buildings, recreation area for the school, and parking areas were constructed. At that time, a Conditional Use Permit was not required for religious institutions, and much of the surrounding area was developed for residential use. In 1972, a school building was constructed on the west side of the site, Lewis Street was realigned to the present configuration, and the SR-22 freeway was constructed. From 1977 to 1995, development of the surrounding area continued and the site remained unchanged.

In 1999, the City of Garden Grove approved Site Plan No. SP-239-99, Conditional Use Permit No. CUP-445-99, and Variance No. V-250-99, which allowed for the construction of a 15,500 square foot sanctuary church building and a spire above the height limits permitted in the R-1 zone, CUP approval to operate a religious institution, and variance approval to allow a reduction in the number of required on-site parking spaces. In 2005, the church improvements were completed, and the site has remain unchanged ever since.

Pursuant to the proposed development plan, the Project would consist of 70 single-family detached residential homes ranging in size from 2,451 square feet to 2,689 square feet, all with attached two-car garages accessible from a private street that circulates throughout the development. The resulting density of the proposed Project would be 7.8 dwelling units per acre. All units feature private outdoor areas to the sides and rear of the units. The proposed architectural style of the homes incorporate influences from Santa Barbara, Andalusian, Monterey, and Formal Spanish design styles, and each home is proposed to exhibit enhanced elevations with multi-toned stucco exteriors, varied rooflines, flat concrete tile roofing, building pop-outs, decorative shutters, balconies, stone veneer or brick treatment, and decorative window trims. A four-foot side yard setback for each home is proposed, resulting in a total separation of eight feet between homes. Rear setbacks range from fifteen to thirty feet.

Main access to the site will be from Lewis Street via a gated enhanced entry driveway that will include decorative paving and landscaping. One emergency vehicle access point, off Garden Grove Boulevard, at the southwest corner of the development, is proposed.

A 14,089 square foot active recreational open space area will be located near the entrance of the residential community and be available for communal use. The recreation area features amenities which include a playground, open turf area, two (2) covered barbecue dining areas, and a shade structure with built-in bench seating.

A total of 263 parking spaces are proposed, which meets the minimum number of parking spaces required by Code. The breakdown of parking spaces include: 140 garaged parking spaces, 70 driveway parking spaces, and 53 unassigned open guest parking on street spaces.

The applicant is proposing to construct six-foot high decorative concrete slump block walls around the perimeter of the development. In addition, six foot high block walls are proposed along the interior property lines of each unit. All blocks walls, which face a public vantage point along Garden Grove Boulevard and Lewis Street, will be fitted with decorative caps. Pilasters will have a stone veneer treatment. An enhanced landscape treatment is proposed, in the 10'-0" wide site perimeter setback between the block wall and the street frontage property lines.

The enhanced landscaping within this area will include trees, shrubs, vines, and flowering ground covers and turf in a hierarchical design order.

The passive open space areas within the common areas of the development will include a combination of golden rain trees, camphor trees, crape myrtle trees, southern magnolia trees, date palms, and various other landscape plantings maintained by the Homeowners Association (HOA). Landscaping in the front yard of each residential unit would include shrubs and trees and would be maintained by the individual homeowners. In total, 148,600 square feet (3.41 acres) of landscaping will be installed. All HOA maintained landscaped areas would be irrigated with an electronically operated irrigation system utilizing water sensors and programmable irrigation cycles. The irrigation systems will be in conformance with the City's water efficiency guidelines.

FINDINGS AND REASONS:

Site Plan:

1. The Site Plan complies with the spirit and intent of the provisions, conditions and requirements of Title 9 and is consistent with the General Plan.

Provided General Plan Amendment No. GPA-001-2017 is approved by the City Council, the General Plan Land Use Designation for the Property will be Low Density Residential. The Low Density Residential Land Use Designation is intended to create, maintain, and enhance residential areas characterized by detached, single-unit structures, and single-family residential neighborhoods that: (i) provide an excellent environment for family life; (ii) preserve residential property values; (iii) provide access to schools, parks, and other community services; and (iv) provide a high-quality architectural design. The proposed project would create a neighborhood of 70 detached single-family homes that satisfies each of these objectives and is within the permitted density of up to nine (9) units per acre for the Low Density Residential Land Use Designation. The proposed single-family residential type housing is similar to and compatible with the surrounding properties, which have both single-family and multi-family housing, and, thus, the proposed Site Plan is also consistent with Policy LU-2.4 of the General Plan Land Use Element, which encourages the City to assure that the type and intensity of land use shall be consistent with that of the immediate neighborhood. Approval and effectiveness of the proposed Site Plan is contingent upon City Council approval of a Planned Unit Development that will establish zoning standards for the site consistent with the proposed Site Plan and Tentative Tract Map. In addition, the building facades, site design, parking, and landscaping are consistent with the development standards and spirit and intent of the requirements of the Municipal Code.

2. The proposed development will not adversely affect essential on-site facilities such as off-street parking, loading and unloading areas, traffic circulation, and points of vehicular and pedestrian access.

The drive aisles and maneuvering areas are adequate for vehicle access. The project provides a total of 263 parking spaces, which meets the minimum number of parking spaces required by Code. The breakdown of parking spaces include: 140 garaged parking spaces, 70 driveway parking spaces, and 53 unassigned open guest parking on-street spaces. Finally, adequate and safe pedestrian access, to all areas within the development, is provided within the project through a dedicated internal walkway system (sidewalk) that is free of conflict from drive aisles.

3. The proposed development will not adversely affect essential public facilities such as streets and alleys, utilities and drainage channels.

The existing streets, utilities and drainage facilities within the area are adequate to accommodate the Project. The on-site circulation and parking are sufficient for the existing and proposed development. The Public Works Department has reviewed the plans and all appropriate conditions of approval have been incorporated. The proposed development will provide landscaping and proper grading of the site to provide adequate on-site drainage. All other appropriate conditions of approval and mitigation measures have been included, which will minimize any adverse impacts to surrounding streets.

4. The proposed development will not adversely impact the Public Works Department's ability to perform its required function.

The Project has been reviewed by the Public Works Department, which has required various on- and off-site improvements, including sidewalks, driveways, and grading improvements. Issues raised by the Project have been addressed in the project design and the conditions of approval.

5. The proposed development is compatible with the physical, functional and visual quality of the neighboring uses and desirable neighborhood characteristics.

The Project has been designed for building appearance, building placement, landscaping, and other amenities to attain an attractive environment that is compatible with the surrounding uses. The proposed single-family residential type housing is similar and compatible with the surrounding properties, which have both single-family and multi-family housing. Furthermore, the Project complies with all development standards of the Small Lot Subdivision ordinance ensuring that the proposed development is livable and safe.

Through the planning and design of buildings and building placement, the provision of open space landscaping and other site amenities, the proposed development will attain an attractive environment for the occupants of the property.

The Project has been designed for building appearance, building placement, landscaping, and other amenities to attain an attractive environment that is compatible with the surrounding uses. The proposed single-family residential type housing is similar and compatible with the surrounding properties, which have both single-family and multi-family housing. Furthermore, the Project complies with all development standards of the Small Lot Subdivision ordinance ensuring that the proposed development is livable and safe.

Tentative Tract Map:

All findings for approval of the proposed Tentative Tract Map under Section 9.40.060 (Tentative Maps – Findings Required) of the Garden Grove Municipal Code and State law can be made.

1. The Tentative Tract Map for the proposed seventy (70) single-family residential dwelling units is consistent with the objectives, policies, general land uses, and programs specified in the Garden Grove General Plan, which encourages land subdivision in order to facilitate new development. The proposed General Plan Land Use Designation of the subject site is Low Density Residential, which permits small lot subdivisions of the scope and density proposed. The site is adequate in size and shape to accommodate the proposed future development of the site.
2. The design and improvements of the proposed subdivision is consistent with the zoning, Title 9 of the Garden Grove Municipal Code, the City's Small Lot Subdivision Ordinance, and the General Plan provisions for location, proximity to similar uses, lot width, and overall depth for the proposed improvements. The proposed General Plan Land Use Designation of the subject site is Low Density Residential, which is intended to create, maintain, and enhance residential areas characterized by detached, single-unit structures, and single-family residential neighborhoods that: (i) provide an excellent environment for family life; (ii) preserve residential property values; (iii) provide access to schools, parks, and other community services; and (iv) provide a high-quality architectural design. The proposed project would create a neighborhood of 70 detached single-family homes that satisfies each of these objectives. Approval and effectiveness of the proposed Site Plan is contingent upon City Council approval of a Planned Unit Development that will establish zoning standards for the site consistent with the proposed Site Plan and Tentative Tract Map. In addition, the building facades, site design, parking, and landscaping proposed as part of the project are consistent with the development standards and spirit and intent of the requirements of the Municipal Code.

3. The site is physically suitable for the proposed development and complies with the spirit and intent of a Residential Planned Unit Development and Title 9 of the City's Municipal Code. The site is adequate in size and shape to accommodate the proposed future development of the site.
4. 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 ("CEQA") 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 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.
5. The site is physically suitable for the proposed density of the development. The site consists of 9.01 acres, and 70 single-family residential units are proposed on the site, resulting in a density of 7.8 dwelling units per acre. A density of up to 9.0 dwelling units per acre is permitted under the Low Density Residential General Plan Land Use Designation.
6. The design of the 70-unit single-family residential small lot subdivision, and the proposed improvements, are not likely to cause public health problems. The conditions of approval for on-site and off-site improvements will safeguard the public health. The Project will also be subject to all mitigation measures identified in the Mitigated Negative Declaration adopted for the Project.
7. The design of the 70-unit single-family residential small lot 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 subdivision; if such easements exist, then alternate easements for access or for use will be provided and these will be substantially equivalent to the ones previously acquired by the public. In addition, the property is not subject to a Williamson Act contract, an open space easement, or a conservation easement.
8. The design and improvements of the 70-unit single-family residential small lot subdivision are suitable for the existing site improvements and the subdivision can be developed in compliance with the applicable zoning regulations.
9. The design and improvement of the proposed 70-unit single-family residential small lot subdivision are suitable for the residential project proposed and the

subdivision can be developed in compliance with the applicable zoning regulations.

10. The design of the subdivision, to the extent feasible, does have allowance for future passive or natural heating and cooling opportunities.
11. The design, density, and configuration of the subdivision strikes a balance between the effect of the subdivision on the housing needs of the region and of public service needs. In addition, the character of the subdivision is compatible with the design of existing structures and lot sizes in the general area.
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.
13. The subject Property is not located within in 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.

INCORPORATION OF FACTS AND FINDINGS SET FORTH IN THE STAFF REPORT AND RESOLUTION NO. 5877-17

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 No. 5877-17.

BE IT FURTHER RESOLVED that the Planning Commission does conclude:

1. The Site Plan and Tentative Tract Map do possess characteristics that would indicate justification of the request in accordance with Municipal Code Sections 9.24.030 (Site Plan) and 9.40.060 (Tentative Tract Map).
2. In order to fulfill the purpose and intent of the Municipal Code, and, thereby, promote the health, safety, and general welfare, the following Conditions of Approval, attached as "Exhibit A", shall apply to Site Plan No. SP-028-2017, and Tentative Tract Map No. TT-17927-2017.
3. Approval of this Site Plan and Tentative Tract Map shall be subject to the recommended Conditions of Approval, and contingent upon (i) City Council adoption of a Mitigated Negative Declaration and an associated Mitigation Monitoring and Reporting Program for the Project, a resolution approving General Plan Amendment No. GPA-001-2017, an ordinance approving

Planned Unit Development No. PUD-006-2017, and an ordinance approving Development Agreement No. DA-006-2017, and (ii) Orange County Local Agency Formation Commission ("LAFCO") approval of the subject sphere of influence changes and detachment/annexation.

Adopted this 6th day of April, 2017

ATTEST:

/s/ GEORGE BRIETIGAM
VICE CHAIR

/s/ JUDITH MOORE
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 April 6, 2017, by the following vote:

AYES:	COMMISSIONERS:	(6)	BRIETIGAM, LAZENBY, LEHMAN, NGUYEN, SALAZAR, TRUONG
NOES:	COMMISSIONERS:	(0)	NONE
ABSENT:	COMMISSIONERS:	(1)	KANZLER

/s/ JUDITH MOORE
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 April 27, 2017.

EXHIBIT "A"

Site Plan No. SP-028-2017 and Tentative Tract Map No. TT-17927-2017

12901 Lewis Street

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 this approval. 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, Shea Homes, the developer of the project, the current owner of the Property, Christ Catholic Cathedral Facilities Corporation, the future owner(s) and tenants(s) of the Property, and each of their respective successors and assigns. All Conditions of Approval are required to be adhered to for the life of the project, regardless of property ownership. Any changes of the Conditions of Approval require approval by the Planning Commission. All Conditions of Approval herein shall apply to Site Plan No. SP-028-2017 and Tentative Tract Map No. TT-17927-2017.
2. Approval of Site Plan No. SP-028-2017 and Tentative Tract Map No. TT-17927-2017 shall be contingent upon City Council adoption of a Mitigated Negative Declaration and an associated Mitigation Monitoring and Reporting Program for the Project, a resolution approving General Plan Amendment No. GPA-001-2017, an ordinance approving Planned Unit Development No. PUD-006-2017, and an ordinance approving Development Agreement No. DA-006-2017, and Orange County Local Agency Formation Commission ("LAFCO") approval of the subject sphere of influence change and annexation, and shall not be construed to mean any waiver of applicable and appropriate zoning and other regulations; and wherein not otherwise specified, all requirements of the City of Garden Grove Municipal Code shall apply.
3. Minor modifications to the Site Plan and/or these Conditions of Approval may be approved by the Community and Economic Development Director, in his or her discretion. Proposed modifications, to the project and/or these Conditions of Approval, determined by the Community and Economic Development Director not to be minor in nature shall be subject to approval of new and/or amended land use entitlements by the applicable City hearing body.

4. All 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 City's Planning Section. 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.
5. The applicant shall submit detailed plans showing the proposed location of utilities and mechanical equipment to the Community and Economic Development Department for review and approval prior to Building Division Plan Check. The project shall also be subject to the following:
 - a. All on-site and off-site utilities (off-site refers to the areas within public right-of-way to the center line of the streets adjacent to the subject property) within the perimeter of the site and to the centerline of the adjacent streets shall be installed or relocated underground. If the power poles, fronting Garden Grove Boulevard or Lewis Street, are determined by SCE (Southern California Edison) as high voltage transmission power poles, then there will be no need to underground or pay an in-lieu fee to the City.
 - b. Aboveground utility equipment (e.g., electrical, gas, telephone, cable TV) shall not be located in the street setbacks, within the common areas along Lewis Street or Garden Grove Boulevard, or any parking areas, and shall be screened to the satisfaction of the Community and Economic Development Department.
 - c. No roof-mounted mechanical equipment, including but not limited to dish antennas, shall be permitted unless a method of screening complementary to the architecture of the building is approved by the Community and Economic Development Department prior to the issuance of building permits. Said screening shall block visibility of any roof-mounted mechanical equipment from view of public streets and surrounding properties.
 - d. All ground- or wall-mounted mechanical equipment shall be screened from view from any place on or off the site.

Public Works Engineering Division

The following provisions of the Public Work's Engineering Division shall be complied with:

6. A geotechnical study prepared by a registered geotechnical engineer is required. The report shall analyze the liquefaction potential of the site and

make recommendations. The report shall analyze sub-surface issues related to the past uses of the site, including sub-surface tanks and basement and septic facilities. Any soil or groundwater contamination shall be remediated prior to the issuance of a building permit in a manner meeting the approval of the City Engineer in concert with the Orange County Health Department. The report shall make recommendations for pavement design the interior streets and parking spaces. The report shall also test and analyze soil conditions for LID (Low Impact Development) principles and implementations, including potential infiltration alternatives, soil compaction, saturation, permeability and groundwater levels.

7. A separate street permit is required for work performed within the public right-of-way.
8. The applicant shall be subject to Traffic Mitigation Fees, 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. The amounts of said fees shall be calculated based on the City's current fee schedule in effect at the time of permit issuance.
9. Separate grading and street improvement plans prepared by a registered Civil Engineer are required. The grading plan shall be based on a current survey of the site, including a boundary survey, topography on adjacent properties up to 30' outside the boundary, and designed to preclude cross-lot drainage. Minimum grades shall be 0.50% for concrete flow lines and 1.25% for asphalt. The grading plan shall also include water and sewer improvements. The grading plan shall include a coordinated utility plan. Street improvement plan shall conform to all format and design requirements of the City Standard Drawings and Specifications.
10. Prior to the issuance of any grading or building permits or prior to recordation upon subdivision of land if determined applicable by the City Building Official, the applicant shall submit to the City for review and approval a Final Water Quality Management Plan (WQMP) that:
 - Addresses Site Design BMPs based upon the geotechnical report recommendations and findings such as infiltration minimizing impervious areas, maximizing permeability, minimizing directly connected impervious areas, creating reduced or "zero discharge" areas, and conserving natural areas.
 - Incorporates the applicable Routine Source Control BMPs as defined in the DAMP.

- Incorporates structural and Treatment Control BMPs as defined in the DAMP.
 - Generally describes the long-term operation and maintenance requirements for the Treatment Control BMPs.
 - Identifies the entity that will be responsible for long-term operation and maintenance of the Treatment Control BMPs.
 - Describes the mechanism for funding the long-term operation and maintenance of the Treatment Control BMPs.
11. Prior to grading or building permit closeout and/or the issuance of a certificate of use or a certificate of occupancy, the applicant shall:
- 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.
 - Demonstrate that applicant is prepared to implement all non-structural BMPs described in the Project WQMP.
 - Demonstrate that an adequate number of copies of the approved Project WQMP are available on site.
 - Submit for review and approval by the City an Operations and Maintenance (O&M) Plan for all structural BMPs.
 - Demonstrate that the applicant has agreed to and recorded an agreement or another legal instrument approved by the City Attorney that shall require the property owner, successors, tenants (if applicable), and assigns to fund, operate and maintain in perpetuity, the post-construction BMPs described in the Project WQMP and O&M Plan.
12. Prior to the issuance of a grading permit, the applicant shall provide a hydrological analysis with scaled map and calculations and hydraulic calculations to size drainage facilities per Orange County RDMD standards. Parkway culverts shall be designed per Orange County standard plan 1309, Type B. BMP's shall be sized per the requirements of the latest Technical Guidance Documents.
13. Prior to issuance of a grading permit, the applicant shall design overhead street lighting within the development in a manner meeting the approval of the City Engineer. Location of lighting poles shall be shown on the grading plan.

14. Prior to the issuance of the street improvements and grading permit, provide subdivision completion bonds for all work constructed under the street improvements and grading permit in a manner satisfactory to the City Engineer, City Attorney, and City Finance Department (Risk Management). Alternate forms of security may be considered, solely in the discretion of the City Engineer and with the concurrence of the City Attorney and City Finance Department (Risk Management).
15. The applicant shall construct the driveway entrance to the development per City of Garden Grove Standard Plan B-120 with conforming ADA landing and pathways where public and private sidewalks intersect. All designs must conform to latest ADA standards.
16. Prior to recordation of a final tract map, the applicant shall make the following revision in a manner meeting the approval of the City Engineer:
 - Provide a 3-foot public utility easement at the back of all sidewalks on the site and across lot frontage behind the property line.
17. TIES TO HORIZONTAL CONTROL: Prior to recordation of a final 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.
18. DIGITAL MAP SUBMISSION: Prior to recordation of a final 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.
19. Prior to recordation of a final tract map, the applicant shall remove the four (4) power/communication poles that are fronting Garden Grove Boulevard and underground the utilities in a manner meeting the approval of the City Engineer. If the power poles fronting Garden Grove Boulevard are determined by SCE (Southern California Edison) as high voltage transmission power poles, then there will be no need to underground or pay an in-lieu fee to the City.
20. Prior to the issuance of any grading or building permits for projects that will result in soil disturbance of one acre or more of land, the applicant shall demonstrate that coverage has been obtained under California's General Permit for Stormwater Discharges Associated with Construction Activity by providing a copy of the Notice of Intent (NOI) submitted to the State Water

Resources Control Board and a copy of the subsequent notification of the issuance of a Waste Discharge Identification (WDID) Number. Projects subject to this requirement shall prepare and implement a Stormwater Pollution Prevention Plan (SWPPP). A copy of the current SWPPP shall be kept at the project site and be available for City review on request.

21. Prior to recordation of a final tract map, the applicant shall remove the three (3) power/communication poles that are fronting Lewis Street and underground the utilities in a manner meeting the approval of the City Engineer. If the power poles fronting Lewis Street are determined by SCE (Southern California Edison) as high voltage transmission power poles, then there will be no need to underground or pay an in-lieu fee to the City.
22. The grading plan shall provide an accessibility route for the ADA pathway in conformance with the requirements of the department of justice standards, latest edition.
23. Orange County Storm Water Program manual requires all contractors to provide a dumpster on site during construction unless an Encroachment Permit is obtained for placement in street.
24. Any new or required block walls and/or retaining walls shall be shown on the grading plans. Cross sections shall show vertical and horizontal relations of improvements and property line. Block walls shall be designed in accordance to City standards or designed by a professional registered engineer.
25. All trash container areas shall meet the following requirement per City of Garden Grove Standard B-502:
 - Paved with an impervious surface, designed not to allow run-on from adjoining areas, designed to divert drainage from adjoining roofs and pavements diverted around the area, screened or walled to prevent off-site transport of trash.
 - Provide solid roof or awning to prevent direct precipitation.
 - Connection of trash area drains to the municipal storm drain system is prohibited.
 - Potential conflicts with fire code and garbage hauling activities should be considered in implementing this source control.
 - See CASQA Storm Water Handbook Section 3.2.9 and BMP Fact Sheet SD-32 for additional information.

- The trash shall be located to allow pick-up and maneuvering, including turnarounds, in the area of enclosures.
26. Grading fees shall be calculated based on the current fee schedule at the time of permit issuance.
27. The applicant shall remove the existing landscape within sidewalk area along Lewis Street and Garden Grove Boulevard and construct street frontage improvements as identified below. All landscaping installed within the public rights-of-way shall be maintained by the applicant in a manner meeting the approval of the City Engineer and Planning Department. A separate street improvement/stripping plan shall be prepared for Lewis Street and Garden Grove Boulevard and submitted to the engineering department for improvements within the City right of way.

Lewis Street

- Remove the existing northerly and southerly substandard driveway approaches and existing landscaping on Lewis Street and construct new curb, gutter, landscape and sidewalk per approved site plan.
- The new driveway approach to the site shall be constructed in accordance with City of Garden Grove Standard Plan B-120. Standard Plan B-120 calls for a minimum width of 30-feet for commercial and multi-residential projects, with any deviation from the standard to be approved by the City Traffic Engineer and detailed on the plan showing all modifications.
- Any further deviation from the approved non-standard entryway/guard gate to the site on Lewis Street shall be approved by the City Traffic Engineer.
- Construct the new sidewalk landings to the Residential Planned Unit Development in accordance with City Standard Plan B-107 with a curb radius of 25-foot in a manner meeting the approval of the City Traffic Engineer.
- Two new wheelchair ramps and landing shall be constructed per Caltrans Standard Plan A88A, Case A, Detail B (Typical One-Ramp Corner Installation).
- Construct 8-inch curb and gutter replacing the driveway approaches along the property frontage at 32' from centerline in accordance with City Standard Plan B-113 (Type C-8).
- Construct an 8-foot sidewalk adjacent to the street curb replacing the driveway approaches in accordance with City Standard Plan B-106.

- Remove and replace the pavement on Lewis Street from the edge of the Westerly gutter to the easterly edge of two way left turn lane stripe along the property frontage per City Standard Plan B-103 and the direction of the City Engineer.
- Applicant shall for apply for an encroachment permit from City of Orange prior to commencement of pavement operation on Lewis Street.
- Applicant to coordinate the location of all new water meters to be placed in sidewalk area on Lewis Street with Planning Department and Water Division.

Garden Grove Boulevard

- Remove the existing easterly and westerly substandard driveway approaches, parkway culverts and landscaping on Garden Grove Boulevard and construct new curb, gutter, landscape and sidewalk per approved site/landscape plan.
- Remove existing wheelchair ramp at the corner of Garden Grove Boulevard and Lewis Street and construct new wheelchair ramp per Caltrans Standard plan A88A, Case A, Detail B (Typical One-Ramp Corner Installation).
- Construct 8-inch curb and gutter replacing the driveway approaches and parkway culverts along the property frontage at 42' from centerline in accordance with City Standard Plan B-113 (Type C-8).
- Construct an 8-foot sidewalk adjacent to the street curb replacing the driveway approaches and parkway culverts along the property frontage in accordance with City Standard Plan B-106.
- The designated landscape planter box locations in the sidewalk area shall be landscaped per the direction of the City Planning Department.
- Prior to the issuance of certificate of use and occupancy, the applicant shall design the westernmost access on Garden Grove Boulevard to function as an emergency access in a manner meeting the approval of the City Engineer.
- Applicant to coordinate the location of all new water meters to be placed in sidewalk area on Garden Grove Boulevard with the Planning Division and Water Services Division.

Private Street

- Street Signs shall be installed in a manner meeting the approval of the City Traffic Engineer.
- The width of all private streets with rolled curb & gutter shall be measured from the flowline to flowline of the gutters per City standard B-116.

Garden Grove Fire Department

The following provisions of the Garden Grove Fire Department and the California Fire Code shall be met:

28. Fire sprinkler system is required throughout the entire project per the California Fire Code and adopted City standards (NFPA). NFPA 13D compliant system is required throughout with a density and configuration as required by that standard. Sprinkler systems shall meet further City water standards as determined by the fire and water departments (i.e., testable double check valves, fire flow water meters if required).
29. Smoke/CO alarm system shall be provided and interconnected; interconnectivity shall exist with fire sprinkler system also, as per NFPA 72.
30. Fire hydrants to be shown on submitted grading plan. Fire hydrants shall be provided on site, number of hydrants and locations are subject to Fire Department and Water Services Department approval. The fire hydrants shall be on a loop system approved by the Fire Department. Prior to any combustible material being delivered to the site, the fire hydrants shall be installed and fully operational and an all-weather road must be provided for fire truck access.
31. The final roadway layout and construction shall maintain a minimum width clearance of 20-feet and a minimum height clearance of 13'-6". All designated corners shall meet the Fire Department minimum turning radius. Applicant shall submit CAD drawing to the Fire Department for review showing fire engine accessibility and meeting the Fire Department minimum turning radius. The roadway shall be constructed to support 75,000 pounds (CFC 07102.1). During grading plan preparation, the applicant shall work with the Garden Grove Fire Department in determining the exact location of on-site curb returns, curb locations, and any other related matters pertaining to Fire Truck access and turning maneuvers throughout the entire site. Upon completion of the project, the Homeowner's Association shall become fully responsible for replacing any damaged curbs and gutters throughout the development. All fire related matters/issues referenced on construction plans and documents, and during construction, shall be referenced as "per the Garden Grove Fire Department."

32. All access gates on the site shall be equipped with a Knox rapid entry keyed access system subject to the approval of the Garden Grove Fire Department. Automated gates shall have Knox override system, while manual gates shall have Knox padlocks.
33. All Fire related aspects of the proposed project shall comply with California Fire Codes and the California Building Codes 2010 Edition.
34. Where required, red curbing will be required in designated fire access lanes as directed by the Fire Department and such red curbing and any related Fire Lane signage shall be maintained at all times by the Homeowner's Association.

Building Services Division

35. All buildings shall be fire sprinklered.
36. Each garage shall be hooked up with a raceway for future installation of an electric vehicle charging station.
37. All residences (units) within the development shall be solar ready per Section 110.10 of the California Energy Code.
38. Sales office for the development shall be accessible and connected to accessible parking and public way with accessible route.
39. The buildings shall meet the requirements of the 2017 edition of the California Building and Residential Codes and the City of Garden Grove adopted ordinance.

Public Work's Water Services Division

The following provisions of the Garden Grove Public Works' Water Services Division shall be met:

40. The applicant shall install a new 8" looped water main system from the 12" main on Lewis and tie in to the 12" main on Garden Grove Blvd. The water mains, fire hydrants, and water services to be installed by the developer's contractor per City Standards and inspected by the Water Engineering Inspector. Water meters, boxes, and residential fire service connections shall be purchased and installed by the contractor after new water system (including water services) pass all bacteriological and pressure tests.
41. Water system within private streets shall be constructed per City Standards by the applicant and dedicated to the City. Bonding will be required.

42. Location and number of fire hydrants shall be as required by the Fire Department.
43. Fire hydrants shall be in place and activated prior to building footing being formed.
44. All water meters and services to be installed per City Standard B-719, with a residential fire sprinkler connection on the meter.
45. A composite water and sewer plan with an assigned W drawing number shall be submitted and reviewed by the Water Engineering section. The W number can be obtained from Water Engineering at 714-741-5346.
46. There shall be a minimum 15-foot clearance of building footings from the water main.
47. New utilities shall have a minimum 5-foot horizontal and a minimum 1-foot vertical clearance from water main and appurtenances.
48. There shall be a minimum clearance from sewer main and water main of 10 feet from outside of pipe to outside of pipe.
49. A Reduced Pressure Principle Device (RPPD) backflow prevention device shall be installed for the landscape system. 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 must open a water account upon installation of RPPD device.
50. 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.
51. Any new or existing water valve can assemblies located within new concrete driveway or sidewalk construction shall be reconstructed per City Standard B-753.
52. City shall determine if existing water services(s) is/are usable and meets current City Standards. Any existing meter and service located within new driveway(s) shall be relocated at owner's expense.
53. No permanent structures, trees or deep-rooted plants shall be placed over sewer main or water main.

54. Developer shall install a new 8" private sewer main system and tie into the existing County Trunk Sewer. The City of Garden Grove shall act as permittee for County main tie in.
55. Where the new sewer main crosses over or under the existing water main, a joint of AWWA C-900, DR14, Class 305 PVC sewer pipe shall be centered over or under the existing water main pipe as per City Standards B-762 or 763.
56. All on site sewer main, laterals, and cleanouts, shall be installed per the California Plumbing Code and inspected by the Building Services Division. All work done within the Garden Grove right-of-way shall be per Garden Grove Sanitary District and Orange County Sanitary Districts' Standards.
57. Contractor shall abandon any existing unused sewer lateral(s) at street right-of-way on the property owner's side. The sewer pipe shall be capped with an expansion sewer plug and encased in concrete.

Planning Services Division

58. The applicant shall submit a complete landscape plan governing the entire development. The plans shall be consistent with the plans submitted to the Planning Commission for review and approval, except as modified herein. 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 common area landscaping shown on the plan. The sprinklers shall be of low flow/precipitation sprinkler heads for water conservation.
 - b. The plan shall provide a mixture of a minimum of ten percent (10%) of the trees at 48-inch box, ten percent (10%) of the trees at 36-inch box, fifteen percent (15%) of the trees at 24-inch box, and sixty percent (60%) of the trees at 15-gallon, the remaining five percent (5%) may be of any size. 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 shall be responsible for installing and maintaining the common area landscaping until such time as the project nears complete sell-out and the Homeowner's Association takes over maintenance responsibility.

- d. Trees planted within ten feet (10') 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. The number of street trees to be planted along the Garden Grove Boulevard and Lewis Street frontages shall be incorporated into the front landscape setback, no street trees will be planted in the sidewalk. The street right-of-way plans may be modified to have the sidewalk adjacent to the curb, meeting City Standards, in order to minimize tree overhanging in the street.
 - e. Enhanced landscape treatment shall be provided in the 10'-0" wide site perimeter setback between the block wall and the street frontage property lines. The enhanced landscaping within this area shall include trees, shrubs, vines, and flowering ground covers and turf in a hierarchical design order.
 - f. The landscape treatment along the street frontages, including the area designated as public right-of-way, shall incorporate the landscape area between the sidewalk and the development wall with ground cover, shrubs and bushes, and trees that highlight the project's entrance as well as enhance the exterior appearance along Garden Grove Boulevard and Lewis Street. The plant material for the entrances shall be the type to inhibit graffiti such as vines and dense growing shrubs and bushes, and shall be maintained.
 - g. All landscape areas, in common areas are the responsibility of the Homeowner's Association and this includes the landscaped area within the Garden Grove Boulevard and Lewis Street road right-of-way, and in the 10'-0" wide site perimeter setback between the block wall and the street frontage property lines. Maintenance of this landscape area shall be included within the CC&R's for the project.
 - h. Final design and configuration of the enhanced treatment along Garden Grove Boulevard and Lewis Street shall be reviewed and approved by the Planning Division as part of the required landscape plans.
59. Hours and days of construction and grading shall be as follows as set forth in the City of Garden Grove's Municipal Code Section 8.47.010 referred to as the County Noise Ordinance as adopted:
- a. Monday through Saturday - not before 7 a.m. and not after 8 p.m. (of the same day).
 - b. Sunday and Federal Holidays may work same hours, but subject to noise restrictions as stipulated in section 8.47.010 of the Municipal Code.

60. The approval and effectiveness of Site Plan No. SP-028-2017 and Tentative Tract Map No. TT-17927-2017 shall be expressly contingent upon the adoption and effectiveness of a binding Development Agreement between the applicant and the City of Garden Grove.
61. The applicant shall prepare Covenants, Conditions, and Restrictions (CC&R's) for review and approval by the City Attorney's office and Community and Economic Development Department prior to the issuance of building permits. The approved CC&R's shall be recorded at the same time that the subdivision map is recorded 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 cars within the garages at all times. 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 53 unassigned open, on-street, guest parking spaces, located throughout 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.
 - 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.
- 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, the enhanced cellular tower element at the front of the development, and the landscape setback areas outside the development walls adjacent to Garden Grove Boulevard and Lewis Street is the responsibility of the Homeowner's Association, including the common landscaped areas.
- j. Each unit shall have a minimum of 200 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 dimensions of 15 feet by 20 feet. This area shall be open and unobstructed from the ground to the sky.
- l. The Conditions of Approval for Planned Unit Development No. PUD-006-2017, Site Plan No. SP-028-2017, and Tentative Tract Map No. TT-17927-2017 shall be incorporated into the CC&Rs, and provisions corresponding to any applicable Conditions of Approval shall be included in the CC&Rs.
- m. 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:
 - a. Description of all post-construction BMPs (non-structural and structural),
 - b. Description of the Property owner's(s') responsibilities and required training of persons performing BMP implementation, operation and maintenance,
 - c. Implementation frequency and operating schedule,

- d. Inspection/maintenance frequency and schedule,
- e. Specific maintenance activities,
- f. Required permits from resource agencies, if any,
- g. Forms to be used in documenting implementation, operation and maintenance activities,
- h. 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 and Economic 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.

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 and Economic 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 Planned Unit Development No. PUD-006-2017, Site Plan No. SP-028-2017, and Tentative Tract Map No. TT-17927-2017. 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 Planned Unit Development No. PUD-006-2017, Site Plan No. SP-028-2017, and Tentative Tract Map No. TT-17927-2017. 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 or Planned Unit Development No. PUD-006-2017, Site Plan No. SP-028-2017, and Tentative Tract Map No. TT-17927-2017

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 Planned Unit Development No. PUD-006-2017, Site Plan No. SP-028-2017, and Tentative Tract Map No. TT-17927-2017. 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 or Planned Unit Development No. PUD-006-2017, Site Plan No. SP-028-2017, and Tentative Tract Map No. TT-17927-2017 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 of the conditions of these Declarations or Planned Unit Development No. PUD-006-2017, Site Plan No. SP-028-2017, and Tentative Tract Map No. TT-17927-2017 approvals. 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 or Planned Unit Development No. PUD-006-2017, Site Plan No. SP-028-2017, and Tentative Tract Map No. TT-17927-2017 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 and Economic Development Department.
62. The applicant shall comply with all provisions of the Community and Economic Development Department including, but not limited to, the following:
- a. The facades of the units shall be designed with sound attenuation features including the use of dual pane windows and limiting, when possible, the use of windows and vents. These features shall be approved by the Community and Economic Development Department prior to the issuance of building permits.
 - b. Prior to the finalization of working drawings for Planning Division, Engineering Division, and Building Division Plan Check, the applicant shall submit to the Community and Economic Development Department detailed and dimensioned plot plans, floor plans, exterior elevations, and landscape plans which reflect the above Conditions of Approval. The plans shall indicate cross-sections of all streets within the development, landscape materials, wall materials, and building materials proposed for the project. Each unit shall have phone jacks and cable-TV outlets in all rooms, except the laundry area, hallways, and bathrooms. Mechanical equipment, including air conditioning units, Jacuzzi spa equipment, sump pump, etc., shall not be located closer than 5-feet of any side or rear property line and shall not be located in the front landscape setback. Air conditioning units may be placed adjacent to or in front of the dwelling units provided the location does not obstruct, impede, or hinder any vehicle traffic or pedestrian access to any unit.
 - c. Should the applicant elect to build the project in more than one phase, then a phasing plan shall be submitted to the Community and Economic 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 and Economic Development, Fire, and Public Works Departments prior to issuance of building permits.

63. Any new or required block walls and/or retaining wall(s) shall be shown on the grading plans. Block walls shall be 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. Decorative masonry walls are required along the north, 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. These walls shall use decorative masonry or stucco block with decorative caps, subject to the Community and Economic Development Department's approval. A minimum 6'-0" high decorative block wall, set back a minimum of 10'-0" from the Garden Grove Boulevard and Lewis Street property lines shall be installed, behind the homes that back up to Garden Grove Boulevard and Lewis Street, and include split-face or stucco block with pilasters and decorative caps.
 - b. The applicant shall work with the existing property owners along the project perimeter in designing and constructing the required perimeter block walls. This requirement is to avoid having double walls and 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 and Economic 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.
64. 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, the use of solar or low-emission water heaters, and use of low-sodium parking lot lights, and to ensure compliance with Title 24.
65. The common recreation area improvements shall be reviewed and approved by the Community and Economic Development Department, Planning Division prior to issuance of building permits. The common recreation area shall be completed at the time that the applicant completes no more than 50 percent of the units (35 units). The improvements within the main open space shall include a children's playground (tot lot), open turf area, two (2) covered

barbecue dining areas, a shade structure with built-in bench seating, a hedge screen around the area, and related equipment and improvements.

66. Building color and material samples shall be submitted to the Planning Division for review and approval prior to issuance of building permits. The buildings shall include multi-toned stuccoed exteriors, window and door trim, decorative paneled front doors, multi-paned windows, window boxes, shutters, paneled roll-up garage doors, decorative entry, and varied roof lines with tile roofing material. All side and rear elevations that face a street or a common usable open space area shall maintain the same, or enhanced, level of detail as the fronts of the homes, including but not limited to, window trims, multi-paned windows, and shutters.
67. The entry and exit-only drive, off Lewis Street, located along the easterly property line, shall have enhanced concrete treatment subject to the Community and Economic Development Department's approval.
68. All recreation areas, landscaping along the interior project street and entryway, landscaped areas outside the perimeter block wall, landscaping within the public right-of-ways, shall be maintained for the life of the project and such maintenance provisions shall be included in the CC&R's.
69. Decorative mailboxes shall be provided that include elements that are complimentary to the architectural style of the buildings. All on-site lighting shall be decorative. Final design of the mailboxes and street lighting shall be reviewed and approved by the Planning Division prior to the issuance of building permits.
70. 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 the proposed sphere of influence amendments and detachment/annexation, General Plan Amendment No. GPA-001-2017, Planned Unit Development No. PUD-006-2017, Tentative Tract Map No. TT-17927-2017, Site Plan No. SP-028-2017, or Development Agreement No. DA-006-2017 (collectively, the "Project entitlements"), and/or the adopted Mitigated Negative Declaration and the associated Mitigation Monitoring and Reporting Program for the Project. The applicant shall pay the City's defense costs, including attorney fees and all other litigation related expenses, and shall reimburse the City for court costs, which the City may be required to pay as a result of such defense. The applicant shall defend the City with legal counsel mutually selected by the applicant and the office of the City Attorney and 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.

71. The Conditions of Approval set forth herein include certain development impact fees and other exactions. Pursuant to Government Code §66020(d), these Conditions of Approval constitute written notice of the amount of such fees. To the extent applicable, the applicant is hereby notified that the 90-day protest period, commencing from the effective date of approval of Tentative Tract Map No. TT-17927-2017 and Site Plan No. SP-028-2017, has begun.

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

Meeting Minutes
Thursday, April 6, 2017

CALL TO ORDER: 7:00 p.m.

ROLL CALL:

Commissioner Brietigam
Commissioner Kanzler
Commissioner Lazenby
Commissioner Lehman
Commissioner Nguyen
Commissioner Salazar
Commissioner Truong

Absent: Kanzler

PLEDGE OF ALLEGIANCE: Led by Commissioner Lazenby

ORAL COMMUNICATIONS – PUBLIC – None.

March 16, 2017 MINUTES:

Action: Received and filed.

Motion: Lazenby Second: Lehman

Ayes: (6) Brietigam, Lazenby, Lehman, Nguyen, Salazar,
Truong

Noes: (0) None

Absent: (1) Kanzler

PUBLIC HEARING – GENERAL PLAN AMENDMENT NO. GPA-001-2017, PLANNED UNIT DEVELOPMENT NO. PUD-006-2017, TENTATIVE TRACT MAP NO. TT-17927-2017, SITE PLAN NO. SP-028-2017, DEVELOPMENT AGREEMENT NO. DA-006-2017, AND NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION FOR THE LEWIS STREET REORGANIZATION BETWEEN THE CITY OF GARDEN GROVE AND THE CITY OF ORANGE (RO 17-01) AND RESIDENTIAL PROJECT. FOR PROPERTY LOCATED AT 12901 LEWIS STREET.

Applicant: SHEA HOMES (JOHN DANVERS)

Date: April 6, 2017

Request: A request by Shea Homes to develop a gated residential subdivision with 70 single-family detached residential units and related street and open space improvements on a 9.01-acre site located in the Cities of Garden Grove and Orange at Lewis Street and Garden Grove Boulevard, at 12901 Lewis Street (APN Nos. 231-041-26, 231-041-27, 231-041-28, and 231-255-01). The Project proposes two floor plans, each of which would feature four bedrooms and a two-car garage accessed from the front of each unit. All units would feature private outdoor areas to the sides and rear of the units. The Project also includes the development of a private recreation area that would be located near the entrance of the residential community. The recreation area features the following amenities: a playground, an open turf area, two covered barbeque dining areas, and a shade structure with bench seating. The project site currently contains a church and a school consisting of nine buildings, two play yards, and a parking lot. The project includes a proposed sphere of influence change and annexation of 0.901 acres from the City of Orange to the City of Garden Grove.

As part of the Project, the Planning Commission will consider a recommendation for City Council approval of amendments to the City's General Plan Land Use map and Zoning map in conjunction with the proposed annexation and to modify the General Plan Land Use designation of the project site from Civic Institution to Low Density Residential and to adopt Residential Plan Unit Development zoning with R-1 (Single-Family Residential) base zoning for the entire site. The Planning Commission will also consider contingent approval of a Site Plan and Tentative Tract Map to subdivide the property into 70 single-family lots and to facilitate development of the proposed 70-unit small lot single-family residential subdivision, along with a recommendation for City Council approval of a Development Agreement with the applicant. The Planning Commission will also consider a recommendation that the City Council adopt a Mitigated Negative Declaration for the project.

Action: Public Hearing held. Speaker(s): John Danvers and a resident.

Action: Resolution Nos. 5877-17 (GPA/PUD/DA) and 5858-17 (SP/TT) were approved with amendments to Condition Nos. 5, 19, 21, and 65.

Motion: Salazar Second: Lazenby

Ayes: (6) Brietigam, Lazenby, Lehman, Nguyen, Salazar, Truong

Noes: (0) None

Absent: (1) Kanzler

ITEM FOR CONSIDERATION - REVIEW OF THE CODE OF ETHICS: Commissioners reviewed and acknowledged the Code of Ethics governing the Planning Commission.

Action: Received and filed.

Motion: Nguyen Second: Lazenby

Ayes: (6) Brietigam, Lazenby, Lehman, Nguyen, Salazar, Truong

Noes: (0) None

Absent: (1) Kanzler

MATTERS FROM COMMISSIONERS: Commissioner Lazenby mentioned that Anaheim Convention Center parking was overflowing onto the south side of Orangewood, Bluebell, and Cliffwood Avenues, preventing residents from parking in their own neighborhood. Staff responded that Dai Vu, one of the City's Traffic Engineers, would look into the matter.

Vice Chair Brietigam commented that public safety was the primary responsibility of the City with both Police and Fire staff understaffed for many years; that service needs were even greater as the old needs were never met; and that the campaign was to increase the numbers to 200 sworn police officers and five sworn fire fighters by the year 2020. He challenged the City Council to make that come to fruition.

MATTERS FROM STAFF: Staff gave a brief description of items for the April 20th Planning Commission meeting.

ADJOURNMENT: At 7:44 p.m. to the next Regular Meeting of the Garden Grove Planning Commission on Thursday, April 20, 2017, at 7:00 p.m. in the Council Chamber of the Community Meeting Center, 11300 Stanford Avenue, Garden Grove.

Motion: Lazenby Second: Lehman

Ayes: (6) Brietigam, Lazenby, Lehman, Nguyen, Salazar, Truong

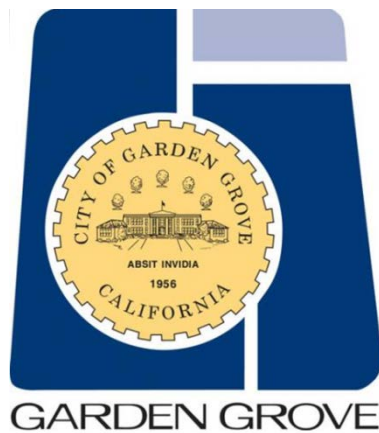
Noes: (0) None

Absent: (1) Kanzler

Judith Moore
Recording Secretary

**FINAL
INITIAL STUDY/MITIGATED NEGATIVE
DECLARATION**

**LEWIS STREET REORGANIZATION BETWEEN THE CITY OF GARDEN GROVE
AND THE CITY OF ORANGE (RO 17-01) AND RESIDENTIAL PROJECT
CITY OF GARDEN GROVE, CALIFORNIA**



LSA

May 2017

This page intentionally left blank

FINAL

**INITIAL STUDY/MITIGATED NEGATIVE
DECLARATION**

**LEWIS STREET REORGANIZATION BETWEEN THE CITY OF GARDEN GROVE
AND THE CITY OF ORANGE (RO 17-01) AND RESIDENTIAL PROJECT
CITY OF GARDEN GROVE, CALIFORNIA**

Submitted to:

City of Garden Grove
11222 Acacia Parkway
Garden Grove, California 92840

Prepared by:

LSA
20 Executive Park, Suite 200
Irvine, California 92614
949.553.0666

Project No. SHO1601



May 2017

This page intentionally left blank

TABLE OF CONTENTS

SECTION 1: INTRODUCTION

SECTION 2: RESPONSES TO COMMENTS

- L-1 Orange County Local Agency Formation Commission (LAFCO)
- L-2 Orange County Public Works
- L-3 Orange County Transportation Authority (OCTA)
- L-4 South Coast Air Quality Management District (SCAQMD)

SECTION 3: INITIAL STUDY/MITIGATED NEGATIVE DECLARATION (WITH REVISIONS)

TECHNICAL APPENDICES (CD)

This page intentionally left blank

SECTION 1

INTRODUCTION

This page intentionally left blank

INTRODUCTION

This section comprises the Comments and Responses of the Final Initial Study/Mitigated Negative Declaration (IS/MND) for the proposed Lewis Street Reorganization between the City of Garden Grove and the City of Orange (RO 17-01) and Residential Project (Project) at 12921 Lewis Street in the City of Garden Grove (City). The purpose of this document is to respond to all comments received by the City regarding the environmental information and analyses contained in the IS/MND.

As required by the California Environmental Quality Act (CEQA) Guidelines Section 15073, a Notice of Intent (NOI) to adopt an MND was sent to responsible agencies and trustee agencies in addition to various public agencies, citizen groups, and interested individuals concerned with the project. In addition, the NOI was filed with the Orange County Clerk on March 15, 2017.

The Draft IS/MND was circulated for public review for a period of 20 days, from March 15, 2017, to April 4, 2017. Copies of the Draft IS/MND were made available for public review at the City Planning Services Department Planning Counter, two area libraries, and on the internet.

Comments were accepted for a period of 20 days in order to ensure adequate time for residents and agencies to comment on the Draft IS/MND. Four comment letters were received during the public review period. Comments were received from Orange County Local Agency Formation Commission (LAFCO), Orange County Public Works, Orange County Transportation Agency (OCTA), and the South Coast Air Quality Management District (SCAQMD).

The City, as the Lead Agency, is required to consider agency and public comments on a negative declaration. Although preparation of responses to comments received on an IS/MND is not required by CEQA, responses have been prepared.

Information provided in this Response to Comments document clarifies, amplifies, or makes minor modifications to the IS/MND. No significant changes have been made to the information contained in the IS/MND as a result of the responses to comments, and no significant new information has been added that would require recirculation of the document.

A revised version of the IS/MND has been prepared to make minor corrections and clarifications to the public draft IS/MND as a result of comments received during the public review period. Revisions to the public draft IS/MND are shown in track changes in Section 3 of this document. Text that has been added is underlined (underlined) and text that has been deleted is shown with strikeout (~~strikeout~~).

Together, the responses to comments and the revised text of the IS/MND are collectively referred to as the Final IS/MND; the Final IS/MND will be submitted for the consideration by the City Council prior to a vote to approve the Final IS/MND.

INDEX OF COMMENTS RECEIVED

The following is an index list of the agencies that commented on the IS/MND prior to the close of the public comment period or immediately thereafter. The comments received have been organized in a manner that facilitates finding a particular comment or set of comments. Each comment letter received is indexed with a number below.

Comment Code	Signatory	Date
Local		
L-1	Orange County LAFCO	April 3, 2017
L-2	Orange County Public Works	March 4, 2017
L-3	OCTA	April 4, 2017
L-4	SCAQMD	March 21, 2017

FORMAT OF RESPONSES TO COMMENTS

Responses to each of the comment letters are provided on the following pages. The comment index numbers are provided in the upper right corner of each comment letter, and individual points within each letter are numbered along the right-hand margin of each letter. The City's responses to each comment letter immediately follow the letter and are referenced by index numbers in the margins. As noted in some of the responses, the proposed Final IS/MND includes text revisions that provide corrections and clarifications to the public draft IS/MND.

SECTION 2

RESPONSES TO COMMENTS

This page intentionally left blank



April 3, 2017

CHAIR
DEREK J. MCGREGOR
Representative of
General Public

VICE CHAIR
DR. ALLAN BERNSTEIN
Councilmember
City of Tustin

LISA BARTLETT
Supervisor
5th District

CHERYL BROTHERS
Councilmember
City of Fountain Valley

TODD SPITZER
Supervisor
3rd District

CHARLEY WILSON
Director
Santa Margarita Water District

JOHN WITHERS
Director
Irvine Ranch Water District

ALTERNATE
WENDY BUCKNUM
Councilmember
City of Mission Viejo

ALTERNATE
JAMES FISLER
Director
Mesa Water District

ALTERNATE
KATHRYN FRESHLEY
Representative of
General Public

ALTERNATE
MICHELLE STEEL
Supervisor
2nd District

CAROLYN EMERY
Executive Officer

Lee Marino, Senior Planner
Planning Service Division
11222 Acacia Parkway
Garden Grove, CA 92840

SUBJECT: Comments on Notice of Intent to Adopt Negative Declaration for the proposed *Lewis Street Reorganization Between the City of Garden Grove and the City of Orange (RO 17-01) and Residential Project ("Project")*

Dear Mr. Marino:

On behalf of the Orange County Local Agency Formation Commission ("OC LAFCO"), we would like to thank you for the opportunity to provide written comments on the *Lewis Street Reorganization Between the City of Garden Grove and the City of Orange (RO 17-01) and Residential Project ("Project")*.

As you are aware, OC LAFCO is governed by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 ("Act." Govt. Code Section 56000 et seq.). Under the Act, OC LAFCO is required to make determinations regarding the proposal for changes of organization or reorganization (Govt. Code Section 56880). In making these determinations, The Act also prescribes the factors, which OC LAFCO must consider in making its determinations, including any policies adopted by OC LAFCO to encourage orderly growth and development (Govt. Code Section 56668).

Because of this role and pursuant to Section 21069 of the Public Resources Code, OC LAFCO is a responsible agency for the proposed reorganization between the City of Garden Grove and City of Orange. Additionally, and pursuant to Section 15086 of the California Environmental Quality Act (CEQA) Guidelines, OC LAFCO is responsible for reviewing and providing comments on this *Initial Study/Mitigated Negative Declaration*. Considering this role, after OC LAFCO's review of the documents, LAFCO has no additional comments at this time.

Comments on Notice of Intent to Adopt Negative Declaration
April 3, 2017
Page 2 of 2

Should you have any questions contact Luis Tapia at ltapia@oclafco.org.

L-1-4

Sincerely,



Carolyn Emery
Executive Officer
Orange County LAFCO

LETTER CODE: L-1

COMMENTER: Orange County Local Agency Formation Commission

DATE: April 3, 2017

RESPONSE L-1-1

The comment is introductory. The Orange County Local Agency Formation Commission (LAFCO) thanks the City of Garden Grove (City) for the opportunity to provide written comments on the Initial Study/Mitigated Negative Declaration (IS/MND).

The comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the IS/MND. This comment will be made available to the decision-makers. No further response is required.

RESPONSE L-1-2

The comment provides information pertaining to LAFCO's statutory responsibilities. In particular, the comment highlights LAFCO's authority to make determinations regarding the proposal for changes of organization or reorganization under Government Code Section 56880. Because of this role and pursuant to Section 21069 of Public Resources Code, LAFCO is a Responsible Agency for the proposed project. As such LAFCO provided written comments on the IS/MND for the proposed project.

LAFCO is identified as a Responsible Agency, as defined in the California Environmental Quality Act (CEQA), in the IS/MND (refer to page 2-34). Table 2.C in the IS/MND list probable future actions by Responsible Agencies including LAFCO. The comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the IS/MND. This comment will be made available to the decision-makers. No further response is required.

RESPONSE L-1-3

The comment states that LAFCO does not have any additional comments at this time.

The comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the IS/MND. This comment will be made available to the decision-makers. No further response is required.

RESPONSE L-1-4

The comment concludes the comment letter and provides contact information. The comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the IS/MND. This comment will be made available to the decision-makers. No further response is required.

This page intentionally left blank



March 4, 2017

NCL-17-023

Lee Marino
City of Garden Grove
Planning Services Division
11222 Acacia Parkway
Garden Grove, CA 92840

Subject: Notice of Intent to Adopt a MND for the Lewis St Reorganization Between the City of Garden Grove and the City of Orange and Residential Project

Dear Lee Marino:

The County of Orange has reviewed Notice of Intent to Adopt a MND for the Lewis St Reorganization between the City of Garden Grove and the City of Orange and Residential Project and has no comments at this time. We would like to be advised of any further developments on the project. Please continue to keep us on the distribution list for future notifications related to the project.

L-2-1

Sincerely,

Laree Alonso, Manager, Planning Division
OC Public Works Service Area/OC Development Services
300 North Flower Street
Santa Ana, California 92702-4048
Laree.alonso@ocpw.ocgov.com

This page intentionally left blank

LETTER CODE: L-2

COMMENTER: Orange County Public Works

DATE: March 4, 2017

RESPONSE L-2-1

The comment states that the County of Orange reviewed the Notice of Intent to Adopt a Mitigated Negative Declaration (MND) for the proposed project and has no comments at this time. The County requested to be advised of any further developments on the proposed project.

The comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the IS/MND. This comment will be made available to the decision-makers. No further response is required.

This page intentionally left blank


AFFILIATED AGENCIES

Orange County
Transit District

Local Transportation
Authority

Service Authority for
Freeway Emergencies

Consolidated Transportation
Service Agency

Congestion Management
Agency

Service Authority for
Abandoned Vehicles

April 4, 2017

Mr. Chris Chung
Planning Services Division
City of Garden Grove
11222 Acacia Parkway
Garden Grove, CA 92840

Subject: Lewis Street Reorganization between the City of Garden Grove and the City of Orange (RO 17-01) and Residential Project Initial Study/Mitigated Negative Declaration

Dear Mr. Chung:

Thank you for providing the Orange County Transportation Authority (OCTA) with the Initial Study and Mitigated Negative Declaration for the Lewis Street Reorganization Project (Project). The following comments are provided for your consideration:

L-3-1

- On page 2-21 ('Circulation') and page 4-48, Table 4.7.C:
 - Please revise "Orange County Transit Authority" to "Orange County Transportation Authority".
 - Please revise text regarding Orange County Transportation Authority (OCTA) service to three bus routes within the Project vicinity: Route 47, Route 56 and Route 454. Route 16 is not operated by OCTA, but may be operated by the Anaheim Resort Transportation.

L-3-2

L-3-3

- From page 4-128, Section 4.16 ('Transportation/Traffic'), Subsection F, OCTA currently provides bus service and has bus stops located within the Project vicinity, specifically on Lewis Street and Garden Grove Boulevard. OCTA recommends employing measures to reduce potential disruptions to the bus stop, in effect reducing transit service disruptions, and requests the City of Garden Grove to keep OCTA updated with any potential bus stop disruptions or street closures that may necessitate detours.

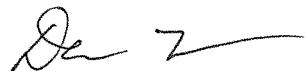
L-3-4

Mr. Chris Chung
April 4, 2017
Page 2

Throughout the development of this project, we encourage communication with OCTA on any matters discussed herein. If you have any questions or comments, please contact me at (714) 560-5907 or at dphu@octa.net.

L-3-5

Sincerely,

A handwritten signature in black ink, appearing to read 'Dan Phu', followed by a long horizontal flourish.

Dan Phu
Manager, Environmental Programs

LETTER CODE: L-3

COMMENTER: Orange County Transportation Authority

DATE: April 4, 2017

RESPONSE L-3-1

The comment is introductory. The Orange County Transportation Authority (OCTA) thanks the City of Garden Grove (City) for providing the Initial Study/Mitigated Negative Declaration (IS/MND).

The comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the IS/MND. This comment will be made available to the decision-makers. No further response is required.

RESPONSE L-3-2

The comment states that on page 4-48, Table 4.7.C, OCTA is incorrectly identified as the Orange County Transit Authority and requests that the agency name be revised.

The Final IS/MND will be revised as requested. The change is not a “substantial revision” because: (1) it does not identify a new, avoidable significant effect that requires mitigation measures or project revisions in order to reduce the effect to below a level of significance and (2) the lead agency has not determined that a proposed mitigation measure will not reduce potential effects to a less than significant level and new measures or revisions must be required. The proposed revision is a minor change to the IS/MND that merely clarifies, amplifies, or makes insignificant modifications to the document. As such, recirculation of the document is not required (*State CEQA Guidelines*, Section 15073.5).

RESPONSE L-3-3

The comment states that Route 16 is incorrectly identified as being operated by OCTA in Table 4.7.C (page 4-48) of the IS/MND. Route 16 is not operated by OCTA, but may be operated by the Anaheim Resort Transportation.

The Final IS/MND will be revised as requested. The change is not a “substantial revision” because: (1) it does not identify a new, avoidable significant effect that requires mitigation measures or project revisions in order to reduce the effect to below a level of significance and (2) the lead agency has not determined that a proposed mitigation measure will not reduce potential effects to a less than significant level and new measures or revisions must be required. The proposed revision is a minor change to the IS/MND that merely clarifies, amplifies, or makes insignificant modifications to the document. As such, recirculation of the document is not required (*State CEQA Guidelines*, Section 15073.5).

RESPONSE L-3-4

The comment states that OCTA recommends employing measures to reduce potential disruptions to the existing bus stops on Lewis Street and Garden Grove Boulevard requests that the City keep OCTA up to date with any potential bus stop disruptions of street closures that may necessitate detours.

As discussed in the IS/MND (pages 4-59, 4-127), the proposed project would require temporary lane closures on Lewis Street to relocate the gas and water lines. No lane closures on Garden Grove Boulevard are anticipated. Temporary lane closures would be implemented consistent with the recommendations of the *California Joint Utility Traffic Control Manual*, which recommends that the needs of operators of commercial vehicles such as busses be assessed and appropriate coordination and accommodations made. In addition, as described in Mitigation Measure HAZ-3, the Project Applicant/Developer would be required to prepare and implement a Construction Staging and Traffic Management Plan, which would be subject to the approval of the Director of the City of Garden Grove Department of Public Works, or designee. Mitigation Measure HAZ-3 has been revised to make it more clear that coordination with OCTA is required as part of the Construction Staging and Traffic Management Plan. As such, OCTA will be provided with advance notice of any temporary lane closures that could necessitate detours in order to ensure that bus service in the vicinity of the project site is maintained throughout the construction period. With implementation of Mitigation Measure HAZ-3, potential disruptions to transit service would be minimized. The change is not a “substantial revision” because: (1) it does not identify a new, avoidable significant effect that requires mitigation measures or project revisions in order to reduce the effect to below a level of significance and (2) the lead agency has not determined that a proposed mitigation measure will not reduce potential effects to a less than significant level and new measures or revisions must be required. The proposed revision is a minor change to the IS/MND that merely clarifies, amplifies, or makes insignificant modifications to the document. As such, recirculation of the document is not required (*State CEQA Guidelines*, Section 15073.5). The proposed revision is a minor change to the IS/MND that merely clarifies, amplifies, or makes insignificant modifications to the document. As such, recirculation of the document is not required (*State CEQA Guidelines*, Section 15073.5).

RESPONSE L-3-5

The comment encourages communication with OCTA on any matters discussed in the comment letter. The comment concludes the letter.

The comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the IS/MND. This comment will be made available to the decision-makers. No further response is required.



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

SENT VIA E-MAIL AND USPS:

March 21, 2017

leem@ci.garden-grove.ca.us

Lee Marino

City of Garden Grove

Planning Services Division

11222 Acacia Parkway

Garden Grove, CA 92840

Mitigated Negative Declaration (MND) for the Proposed Lewis Street Reorganization Between the City of Garden Grove and the City of Orange (RO 17-01) and Residential Project

The South Coast Air Quality Management District (SCAQMD) staff appreciates the opportunity to comment on the above-mentioned document. The following comment is meant as guidance for the Lead Agency and should be incorporated into the Final MND.

L-4-1

Project Description

The proposed project consists of the construction of a gated residential community with 70 single-family detached residential units on an approximately 9.01-acre site. The proposed project is expected to generate approximately 261 residents. The proposed residential units would have private outdoor areas and an open recreation area located near the entrance to the residential community. The proposed project is currently bounded by low-density residential and light/heavy commercial uses, medium-density residential and general commercial uses. The proposed project site, including the recreation area, is within 500 feet of the California State Route 22 (SR-22) Freeway.

L-4-2

Mobile Source Health Risk Assessment

When specific development is reasonably foreseeable as result of the goals, policies, and guidelines in the proposed project, the Lead Agency should identify any potential adverse health risk impacts using its best efforts to find out and a good-faith effort at full disclosure in the CEQA document. Based on a review of aerial photographs and information under Surrounding Land Uses in the MND, the SCAQMD staff found that the proposed project would facilitate the siting of future residents approximately 188 feet from the SR-22 Freeway (with the recreation area approximately 357 feet from SR-22), which has an average daily volume of 238,000 vehicles¹ including approximately 11,424 diesel fueled trucks. Because of the close proximity to the existing freeway, residents would be exposed to diesel particulate matter (DPM), which is a toxic air contaminant and a carcinogen. Diesel particulate matter emitted from diesel powered engines (such as trucks) has been classified by the state as a toxic air contaminant and a carcinogen.

L-4-3

Since future residences of the proposed project would be exposed to toxic emissions from the nearby sources of air pollution (e.g., diesel fueled highway vehicles), the SCAQMD staff recommends that the Lead Agency estimate potential health risks to these future residents from these sources. Otherwise, the Lead Agency has not demonstrated, supported by substantial evidence, that public health will not be significantly impacted by this project. Therefore, the SCAQMD staff recommends that the Lead Agency

¹ Caltrans 2015 annual average daily traffic (Annual ADT) and truck volumes: <http://www.dot.ca.gov/trafficops/census/>.

conduct a health risk assessment (HRA)² to disclose the potential health risks to the residents from the freeway, railroad, and industrial sources.

↑ L-4-3

Notwithstanding the court rulings, the SCAQMD staff recognizes that the Lead Agencies that approve CEQA documents retain the authority to include any additional information they deem relevant to assessing and mitigating the environmental impacts of a project. Because of SCAQMD's concern about the potential public health impacts of siting sensitive populations within close proximity of freeways, the SCAQMD staff will continue to recommend that, prior to approving the project, Lead Agencies consider the impacts of air pollutants on people who will live in a new project and provide mitigation where necessary.

L-4-4

Guidance Regarding Residences Sited Near a High-Volume Freeway or Other Sources of Air Pollution

The SCAQMD staff recognizes that there are many factors Lead Agencies must consider when making local planning and land use decisions. To facilitate stronger collaboration between Lead Agencies and the SCAQMD to reduce community exposure to source-specific and cumulative air pollution impacts, the SCAQMD adopted the Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning in 2005. This Guidance Document provides suggested policies that local governments can use in their General Plans or through local planning to prevent or reduce potential air pollution impacts and protect public health. The SCAQMD staff recommends that the Lead Agency review this Guidance Document as a tool when making local planning and land use decisions. This Guidance Document is available on SCAQMD's website at: <http://www.aqmd.gov/home/library/documents-support-material/planning-guidance/guidance-document>. Additional guidance on siting incompatible land uses (such as placing homes near freeways or other polluting sources) can be found in the California Air Resources Board's (CARB) *Air Quality and Land Use Handbook: A Community Perspective*, which can be found at: <http://www.arb.ca.gov/ch/handbook.pdf>.

L-4-5

Numerous health studies have demonstrated potential adverse health effects associated with living near highly travelled roadways. In traffic-related studies, the additional non-cancer health risk attributable to proximity is seen within 1,000 feet and is strongest within 300 feet³. California freeway studies show about a 70% drop off in particulate pollution levels at 500 feet⁴. As a result of these studies, the CARB developed a Land Use Handbook⁵ that recommends avoiding new sensitive land uses (such as housing) within 500 feet of a freeway. Additional research has shown that the near roadway environment also contains elevated levels of many pollutants that adversely affect human health, including some pollutants that are unregulated (e.g., ultrafine particles) and whose potential health effects are still emerging⁶.

L-4-6

Mitigation Measures and Limits to Enhanced Filtration Units

While the health science behind recommending against placing new homes in close proximity to freeways is clear, the SCAQMD staff recognizes that there are many factors Lead Agencies must consider when making local planning and land use decisions such as siting new housing. In the event that the Lead Agency, after performing an HRA, finds that maximum cancer risk from the proposed project would exceed the SCAQMD significance threshold of 10 in one million, the identification and evaluation of mitigation measures are required to reduce health impacts below the significance level before the MND is considered for adoption (CEQA Guideline Section 15074(b)). In an event that the Lead Agency determines that health impacts cannot be mitigated, a draft environmental impact report shall be prepared pursuant to the CEQA Guideline Sections 15073.5, 15086, and 15087.

L-4-7

² "Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis" accessed at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mobile-source-toxics-analysis>.

³ California Air Resources Board. April 2005. "Air Quality and Land Use Handbook: A Community Health Perspective." Accessed at: <http://www.arb.ca.gov/ch/landuse.htm>.

⁴ Ibid.

⁵ Ibid.

⁶ See Chapter 9 of the 2012 AQMP for further information. Accessed at: <http://www.aqmd.gov/aqmp/2012aqmp/Final-February2013/Ch9.pdf>.

Many mitigation measures have been proposed for other projects to reduce exposure, including, but are not limited to, building filtration systems, sound walls, vegetation barriers, etc. Because of the potential adverse health risks involved with siting housing near a freeway, it is essential that any proposed mitigation measure must be carefully evaluated in order to determine if those health risks would be brought below recognized significance thresholds.

In the event that enhanced filtration units on housing residents are proposed as a mitigation measure, the Lead Agency should consider the limitations of the enhanced filtration. For example, in a study that SCAQMD conducted to investigate filters⁷, costs were expected to range from \$120 to \$240 per year to replace each filter. In addition, because the filters would not have any effectiveness unless the HVAC system is running, there may be increased energy costs to the resident. It is typically assumed that the filters operate 100 percent of the time while residents are indoors, and it does not account for the times when the residents have their windows or doors open or are in common space areas of the project. These filters also have no ability to filter out any toxic gases from vehicle exhaust. The presumed effectiveness and feasibility of any filtration units, if proposed as a mitigation measure, should therefore be evaluated in more detail prior to assuming that they will sufficiently alleviate near roadway exposures.

L-4-8

Compliance with SCAQMD Rule 1166

As stated in Section 4.8, Hazards and Hazardous Materials, on Page 4-53 in the MND, "Phase I identified the presence of a dry cleaner operation at the same property as the former service station." Additionally, "[...] potential sources of volatile organic compounds (VOCs) from a former dry cleaning operation [is] located 100 ft east of the Project site [...], and underground fuel storage tanks [are] located 525 ft northwest of the Project site." Although all VOC concentrations are below the EPA reporting limits (Page 4-54), in the event that petroleum hydrocarbons are expected to be encountered during excavation and any other soil disturbing activities, the Final MND should include a discussion to demonstrate compliance with the requirements of SCAQMD Rule 1166 – Volatile Organic Compound Emissions from Decontamination of Soil.

L-4-9

SCAQMD staff is available to work with the Lead Agency to address any other air quality and health risk questions that may arise. Please contact Gordon Mize, Air Quality Specialist, CEQA IGR, at (909) 396-3302, if you have any questions regarding these comments.

L-4-10

Sincerely,

Lijin Sun

Lijin Sun, J.D.
Program Supervisor, CEQA IGR
Planning, Rule Development & Area Sources

LS:GM

ORC170315-02
Control Number

⁷ This study evaluated filters rated MERV 13+ while the proposed mitigation calls for less effective MERV 12 or better filters. Accessed at: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/aqmdpilotstudyfinalreport.pdf>.

This page intentionally left blank

LETTER CODE: L-4

COMMENTER: South Coast Air Quality Management District

DATE: March 21, 2017

RESPONSE L-4-1

The comment is introductory. The South Coast Air Quality Management District (SCAQMD) appreciates the opportunity to comment on the Initial Study/Mitigated Negative Declaration (IS/MND) for the proposed Project. The introduction states that the following comments are meant as guidance for the City of Garden Grove (City) and should be incorporated into the Final IS/MND.

The comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the IS/MND. This comment will be made available to the decision-makers. No further response is required.

RESPONSE L-4-2

The comment provides a description of the proposed Project and the location of the Project site. The comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the IS/MND. This comment will be made available to the decision-makers. No further response is required.

RESPONSE L-4-3

SCAQMD recommends that the Lead Agency estimate potential health risks to future residents from nearby sources of air pollution including State Route 22 (SR-22). SCAQMD further recommends that a health risk assessment (HRA) be prepared to disclose the potential health risks to the future residents on the Project site from SR-22, as well as railroad and industrial sources.

In its ruling on the *California Building Industry Association v. Bay Area Air Quality Management District* (December 17, 2015, Case No. S213478), the California Supreme Court stated unanimously that the California Environmental Quality Act (CEQA) review is focused on a project's impact on the environment "and not the environment's impact on the project." The potential impact of existing hazards on future users is not a significant environmental impact for CEQA purposes. The Court also opined that Lead Agencies should consider whether a project could *exacerbate* existing environmental conditions rather than assessing the impacts of the environment on the Project.

In the *East Sacramento Partnership for a Livable City v. City of Sacramento* (November 7, 2016, Case No. C079614), the Third District Court of Appeal has recently applied the Supreme Court's (Court) reasoning in considering whether an environmental impact report (EIR) for a residential development adequately analyzed the alleged "exacerbation" of environmental impacts associated with a nearby freeway, a former landfill and railroad tracks. As an infill residential project bounded by a freeway and railroad tracks, and near a former landfill, the Project site in that case was subject to potentially hazardous toxic air contaminants (TACs) and possible subsurface methane gas migration. Challengers in that case asserted that the EIR failed to analyze the increased cancer risk to the project's future residents associated with the airborne pollutants from the freeway and railroad tracks. The Court rejected this argument and stated that the mere existence of multiple hazards near a project

site is insufficient to require an EIR to consider the question of “exacerbation”; instead, there must first be substantial evidence showing that a project could exacerbate existing hazards. The Court of Appeal found that the trial court properly found that “CEQA did not require an EIR to analyze the existing effects of the environment on future residents of the Project.” (citing *California Building Industry Association v. Bay Area Air Quality Management District* [December 17, 2015, Case No. S213478]).

As there is no evidence showing that the proposed Lewis Street Reorganization between the City of Garden Grove and the City of Orange (RO 17-01) and Residential Project would exacerbate existing environmental hazards, no additional analysis is required.

RESPONSE L-4-4

The comment states that, notwithstanding the Court rulings, SCAQMD staff will continue to recommend that Lead Agencies consider the impacts of air pollutants on people who will live in a new residential project and provide mitigation where necessary because of SCAQMD’s concern about the potential health impacts of siting sensitive populations within close proximity of freeways.

While the City respects the recommendations of SCAQMD, it should be noted that the Project site and the freeway are separated by existing residential uses; the exiting residential uses are located closer to SR-22 than the Project site. In addition, the Project site is currently occupied by a church and a school. Thus in the existing condition, uses on the Project site have the potential to result in the exposure of sensitive communities to emissions from SR-22. Finally, as stated in Response to Comment L-4-3, the proposed Project would not substantially contribute to a worsening of existing environmental hazards, and no further analysis is required under CEQA.

RESPONSE L-4-5

The comment recommends that the City review the SCAQMD’s *Guidance Document for Addressing Air Quality Issues in General Plans and Location Planning* (2005), which provides suggested policies that local government can use in their General Plans or through local planning to prevent or reduce potential air pollution impacts and protect public health.

The comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the IS/MND. This comment will be made available to the decision-makers. No further response is required.

RESPONSE L-4-6

The comment provides a reference to the California Air Resources Board’s (CARB) *Air Quality and Land Use Handbook: A Community Perspective* (Land Use Handbook) which provides guidance on siting incompatible land uses. The comment further states that numerous health studies have demonstrated potential adverse health effects associated with living near highly traveled roadways and that the CARB Land Use Handbook recommends avoiding citing new sensitive land uses (such as housing) within 500 feet (ft) of a freeway.

The comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the IS/MND. This comment will be made available to the decision-makers. No further response is required.

RESPONSE L-4-7

The comment states that in the event the City performs an HRA and finds that the maximum cancer risk from the proposed Project would exceed the SCAQMD significance threshold of ten in one million, the identification and evaluation of mitigation measures are required. Alternatively, if the City were to determine that the health impacts could not be mitigated, then a draft environmental impact report would be required.

As stated in Response to Comment L-4-3, in its ruling on the *California Building Industry Association v. Bay Area Air Quality Management District* (December 17, 2015, Case No. S213478), the California Supreme Court stated unanimously that CEQA review is focused on a project's impact on the environment "and not the environment's impact on the project." The potential impact of existing hazards on future users is not a significant environmental impact for CEQA purposes. It is acknowledged that the opinion also held that when a project has "potentially significant exacerbating effects of existing environmental hazards", those impacts are properly within the scope of CEQA because they can be viewed as impacts of the Project on "existing conditions" rather than impacts of the environment on the Project. The Court decision is also further supported by the Court of Appeals in the *East Sacramento Partnership for a Livable City v. City of Sacramento* (November 7, 2016, Case No. C079614), that the mere existence of multiple hazards near a project site is insufficient to require an analysis to consider the question of exacerbation.

As further discussed in Response to Comment L-4-3, the proposed Project would not substantially contribute to a worsening of existing environmental hazards, and no further analysis is required under CEQA.

RESPONSE L-4-8

The comment discusses the use of enhanced filtration units on housing units, the cost of maintaining such units, and the limitations of such units (e.g., that do not work as well with windows open). The comment concludes by stating that the presumed effectiveness and feasibility of any filtration units, if proposed as mitigation, should be evaluated in more detail prior to assuming that they will sufficiently alleviate near-roadway exposures.

The Project Applicant is not proposing to install enhanced air filtration units nor did the IS/MND require installation of enhanced air filtration units as mitigation. Therefore, the IS/MND correctly does not include a discussion of the relative merits and drawbacks of such units.

RESPONSE L-4-9

The comment states that although all volatile organic compound (VOC) concentrations are below the United States Environmental Protection Agency (EPA) reporting limits (page 4-54 of the IS/MND), in the event that petroleum hydrocarbons are expected to be encountered during excavation and any other soil-disturbing activities, the Final IS/MND should include a discussion to demonstrate compliance with the requirements of SCAQMD Rule 1166.

As discussed in Section 4.8 (page 4-54) of the IS/MND, the Soil and Soil Vapor Sampling Report provided the results of soil vapor sampling conducted at five locations on the Project site. Each of these five samples were taken at 5 ft below ground surface and were generally located at the southeast corner of the Project site in order to evaluate potential vapor migration from underground

storage tanks at the former and present dry-cleaning stations. The results of the soil gas samples at these five locations indicated that all VOC concentrations were below the reporting limit and were not detected at concentrations above the method detection limit established by the EPA. Because all VOC concentrations were reported as below the reporting limits, VOC concentrations were also determined to be below the California Human Health Screening Levels (CHHSL) for shallow soil gas at residential and commercial/industrial sites. Therefore, no further action or mitigation is required.

In addition, the nearest underground storage tanks are located 525 ft northwest of the Project site and no leaks have been reported that would indicate the potential for petroleum hydrocarbons to be found in the soils. Nonetheless, in the event that unlikely unknown hazardous materials—including petroleum hydrocarbons—are discovered on site during Project construction, the Project contractor would be required to comply with a Contingency Plan developed and approved prior to the commencement of grading activities. As stated in Mitigation Measure HAZ-2, in the event that construction workers encounter underground tanks, gases, odors, uncontained spills, or other unidentified substances, the Contingency Plan will require the contractor to stop work, cordon off the affected area, and notify the Garden Grove Fire Department (GGFD). The GGFD responder shall determine the next steps regarding possible site evacuation, sampling, and disposal of the substance consistent with local, State, and federal regulations, including SCAQMD Rule 1166. In addition, the California Department of Transportation (Caltrans), the California Highway Patrol, and local police and fire departments are trained in emergency response procedures for safely responding to accidental spills of hazardous substances on public roads, further reducing potential impacts to a less than significant level. With implementation of Mitigation Measure HAZ-2, potential risks associated with encountering unknown hazardous wastes during construction would be reduced to a less than significant level.

RESPONSE L-4-10

The comment concludes the comment letter and provides contact information for SCAQMD staff.

The comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the IS/MND. This comment will be made available to the decision-makers. No further response is required.

SECTION 4

DRAFT INITIAL STUDY/MITIGATED NEGATIVE DECLARATION (with revisions)

This page intentionally left blank

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

LEWIS STREET REORGANIZATION BETWEEN THE CITY OF GARDEN
GROVE AND THE CITY OF ORANGE (RO 17-01) AND RESIDENTIAL
PROJECT

CITY OF GARDEN GROVE, CALIFORNIA



LSA

March 2017

This page intentionally left blank

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

LEWIS STREET REORGANIZATION BETWEEN THE CITY OF GARDEN GROVE AND THE CITY OF ORANGE (RO 17-01) AND RESIDENTIAL PROJECT

CITY OF GARDEN GROVE, CALIFORNIA



Lead Agency:

City of Garden Grove
Community and Economic Development Department
11222 Acacia Parkway
Garden Grove, California 92840
(714) 741-5000
<http://www.ci.garden-grove.ca.us/>

Prepared by:

LSA Associates, Inc.
20 Executive Park, Suite 200
Irvine, California 92614
(949) 553-0666

LSA

March 2017

This page intentionally left blank

TABLE OF CONTENTS

1.0	INTRODUCTION	1-1
1.1	CONTACT PERSON	1-1
2.0	PROJECT DESCRIPTION.....	2-1
2.1	REGIONAL SETTING	2-1
2.2	SURROUNDING LAND USES	2-1
2.3	EXISTING SITE CONDITIONS AND LAND USE DESIGNATIONS.....	2-1
2.4	PROJECT SITE HISTORY	2-13
2.5	PROPOSED PROJECT	2-13
2.6	DISCRETIONARY ACTIONS.....	2-33
2.7	PROBABLE FUTURE ACTIONS BY RESPONSIBLE AGENCIES	2-34
2.8	OTHER MINISTERIAL CITY ACTIONS	2-34
3.0	ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED	3-1
4.0	EVALUATION OF ENVIRONMENTAL IMPACTS	4-1
4.1	AESTHETICS	4-3
4.2	AGRICULTURE AND FOREST RESOURCES.....	4-9
4.3	AIR QUALITY.....	4-13
4.4	BIOLOGICAL RESOURCES.....	4-23
4.5	CULTURAL RESOURCES	4-27
4.6	GEOLOGY AND SOILS	4-35
4.7	GREENHOUSE GAS EMISSIONS.....	4-43
4.8	HAZARDS AND HAZARDOUS MATERIALS	4-51
4.9	HYDROLOGY AND WATER QUALITY	4-63
4.10	LAND USE/PLANNING	4-75
4.11	MINERAL RESOURCES	4-85
4.12	NOISE	4-87
4.13	POPULATION AND HOUSING.....	4-111
4.14	PUBLIC SERVICES	4-113
4.15	RECREATION	4-119
4.16	TRANSPORTATION/TRAFFIC	4-121
4.17	UTILITIES/SERVICE SYSTEMS.....	4-130
4.18	TRIBAL CULTURAL RESOURCES	4-138
4.19	MANDATORY FINDINGS OF SIGNIFICANCE.....	4-142
5.0	MITIGATION MONITORING AND REPORTING PROGRAM	5-1
5.1	MITIGATION MONITORING REQUIREMENTS.....	5-1
5.2	MITIGATION MONITORING PROCEDURES.....	5-2
6.0	REFERENCES	6-1

FIGURES AND TABLES

FIGURES

Figure 2.1: Project Location	2-3
Figure 2.2: Surrounding Land Uses	2-5
Figure 2.3: Existing Project Site	2-7
Figure 2.4a: Photographs of Existing Site Condition.....	2-9
Figure 2.4b: Photographs of Existing Site Condition	2-11
Figure 2.5: Site Plan.....	2-15
Figure 2.6: Conceptual Landscaping Plan	2-19
Figure 2.7: Water Quality Management Plan	2-23
Figure 2.8: Proposed Reorganization.....	2-27
Figure 2.9: Infrastructure Improvements	2-31
Figure 4.12.1: Noise Monitoring Locations.....	4-95
Figure 4.12.2: Perimeter Wall Location.....	4-103

TABLES

Table 2.A Proposed Single-Family Unit Floor Plans.....	2-13
Table 2.B: Utility Provider Changes due to Reorganization.....	2-25
Table 2.C Probable Future Actions by Responsible Agencies	2-34
Table 4.3.A: Peak Daily Construction Emissions (lbs/day).....	4-17
Table 4.3.B: LST Thresholds and Construction Emissions	4-18
Table 4.3.C: Daily Operational Emissions.....	4-19
Table 4.3.D: Localized Operational Emissions	4-19
Table 4.5.A: Historical Evaluation of Existing Buildings on the Project Site	4-30
Table 4.7.A: Project Construction Greenhouse Gas Emissions.....	4-46
Table 4.7.B: Project Operational Greenhouse Gas Emissions.....	4-47
Table 4.7.C: Project Consistency with General Plan Policies Related to Greenhouse Gas Emissions	4-48
Table 4.10.A: General Plan Consistency Analysis	4-77
Table 4.10.B Zoning Ordinance Development Standards Consistency Analysis	4-82
Table 4.12.A: Human Response to Different Levels of Ground-Borne Noise and Vibration	4-89
Table 4.12.B: Ambient Base Noise Levels	4-91
Table 4.12.C: Construction Vibration Damage Criteria	4-93
Table 4.12.D: Guideline Vibration Potential Threshold Criteria.....	4-93
Table 4.12.E: Existing Noise Level Measurements	4-94
Table 4.12.F: Typical Maximum Construction Equipment Noise Levels (L_{max})	4-98
Table 4.12.G: Existing Baseline Traffic Noise Levels	4-100
Table 4.12.H: Existing Plus Project Traffic Noise Levels	4-100
Table 4.12.I: Future Conditions (Year 2019) Without Project Traffic Noise Levels	4-101
Table 4.12.J: Future Conditions (Year 2019) With Project Traffic Noise Levels	4-101
Table 4.12.K: On-Site Unmitigated Exterior Noise Levels (dBA CNEL).....	4-102

Table 4.12.L: Future On-Site Exterior Noise Levels (dBA CNEL)	4-105
Table 4.14.A: School Capacities and Enrollment	4-116
Table 4.14.B: Projected School Enrollment.....	4-116
Table 4.16.A: Level of Service Criteria.....	4-123
Table 4.16.B: Project Trip Generation.....	4-124
Table 4.16.C: Existing (2016) Volume-to-Capacity Ratios and Level of Service for the AM and PM Peak Hours for the Without Project and With Project Conditions.....	4-125
Table 4.16.D: Future (2017) Volume-to-Capacity Ratios and Level of Service for the AM and PM Peak Hours for the Without Project and With Project Conditions	4-125
Table 5.A: Mitigation and Monitoring Reporting Program.....	5-3

APPENDICES

- A: AIR QUALITY AND GREENHOUSE GAS
- B: CULTURAL RESOURCES
- C: GEOTECHNICAL REPORT
- D: PHASE I ESA AND SOIL TESTING REPORT
- E: HYDROLOGY REPORT AND WATER QUALITY MANAGEMENT PLAN
- F: TRAFFIC IMPACT ANALYSIS
- G: UTILITIES AND PUBLIC SERVICES
- H: NOISE
- I: COMPLETE PLAN SET

This page intentionally left blank

1.0 INTRODUCTION

In accordance with the California Environmental Quality Act (CEQA), the *State CEQA Guidelines*, the City of Garden Grove's (City) Local CEQA Guidelines, and the City's CEQA Significance Thresholds Guide (March 2009), this Initial Study/Mitigated Negative Declaration (IS/MND) has been prepared for the proposed Lewis Street Reorganization between the City of Garden Grove and the City of Orange (RO 17-01) and Residential Project (proposed Project) at 12921 Lewis Street in the City of Garden Grove. Consistent with *State CEQA Guidelines* Section 15071, this IS/MND includes a description of the proposed Project, an evaluation of the potential environmental impacts, and findings from the environmental analysis.

This IS/MND evaluates the potential environmental impacts that may result from development of the proposed Project. The City is the Lead Agency under CEQA and is responsible for adoption of the IS/MND and approval of the Project.

1.1 CONTACT PERSON

Any questions or comments regarding the preparation of this IS/MND, its assumptions, or its conclusions should be referred to:

Lee Marino
City of Garden Grove
Planning Services Division
11222 Acacia Parkway
Garden Grove, CA 92840
Tel: (714) 741-5302
Email: leem@ci.garden-grove.ca.us

This page intentionally left blank

2.0 PROJECT DESCRIPTION

2.1 REGIONAL SETTING

The Project site is located in the City of Garden Grove and the City of Orange, which are both part of the County of Orange (County), California. As shown on Figure 2.1, Project Location, regional access to the Project site is provided by California State Route 22 (SR-22) to the north of the Project site and Interstate 5 (I-5) to the east.

2.2 SURROUNDING LAND USES

The Project site is bounded by Garden Grove Boulevard to the south, Lewis Street to the east, light industrial uses to the west with SR-22 beyond, and medium-density residential housing along El Prado Avenue to the north with SR-22 beyond. Low-density residential and light commercial uses are located to the south and southwest along Garden Grove Boulevard. Other local uses include heavy commercial uses to the west and a variety of medium-density residential (Community Garden Towers) and general commercial uses to the east across Lewis Street. Surrounding land uses are shown on Figure 2.2.

2.3 EXISTING SITE CONDITIONS AND LAND USE DESIGNATIONS

The 9.01-acre Project site (Assessor's Parcel Nos. 231-041-26, 231-041-27, 231-041-28, and 231-255-01) is zoned Residential (R-1) and is currently labeled Civic/Institutional in the City of Garden Grove General Plan.

The current use for the Project site is a church and school consisting of nine buildings, two play yards (one asphalt-covered and the other on an athletic field), and a parking lot. Chain-link fences are located on the north and west sides of the property, and wrought-iron fencing is used along Garden Grove Boulevard. Two wrought-iron gates exist at the driveway access points on Lewis Street. The existing Project site is shown on Figure 2.3.

In the existing condition, two vehicular access points are located on Lewis Street and two vehicular access points are located on Garden Grove Boulevard. All vehicle access points are gated.¹ A 7-foot (ft) sidewalk is located adjacent to the Project site along Lewis Street and a 9 ft sidewalk is located adjacent to the Project site on Garden Grove Boulevard. Both sidewalks would remain after Project implementation.

The Project site is relatively flat with drainage in the form of drainage swales, which lead to the regional storm water system. Photographs of the existing Project site are shown on Figure 2.4.

¹ The gate of the southernmost vehicular access point on Lewis Street remains open and provides site access for the existing tenant.

This page intentionally left blank

Figure 2.1: Project Location

This page intentionally left blank

Figure 2.2: Surrounding Land Uses

This page intentionally left blank

Figure 2.3: Existing Project Site

This page intentionally left blank

Figure 2.4a: Photographs of Existing Site Condition

This page intentionally left blank

Figure 2.4b: Photographs of Existing Site Condition

This page intentionally left blank

2.4 PROJECT SITE HISTORY

Until 1962, the Project site and much of the surrounding area were planted with orchards and pastures. In 1963, the orchards on the Project site were cleared and a school and church were constructed. Around the same time, much of the surrounding area was developed for residential use. In 1972, the school building shown on Figure 2.3 was added on the west side of the Project site. Additionally, Lewis Street was realigned to the present configuration and SR-22 was constructed. From 1977 to 1995, development of the surrounding area continued and the Project site remained unchanged. In 2005, a new church structure, presently located on the southeast corner of the site, was built. The site has remained unchanged since 2005.

2.5 PROPOSED PROJECT

2.5.1 Development Proposal

The proposed Project includes the development of a gated residential community with 70 single-family detached residential units. The Project proposes two floor plans, each of which would feature four bedrooms and a two-car garage accessed from the front of each unit. Plan 1 features a customizable option for the fourth bedroom, which would increase the size of this room. All units feature private outdoor areas to the sides and rear of the units. Table 2.A, Proposed Single-Family Unit Floor Plans, provides more information on the floor plans.

Table 2.A Proposed Single-Family Unit Floor Plans

Floor Plan	Stories	Square Footage per Unit
1	2	2,451
2	2	2,689

The Project also includes the development of a private recreation area that would be located near the entrance of the residential community. The recreation area would feature the following amenities: a playground, an open turf area, two covered barbeque dining areas, and a shade structure with bench seating. The site plan is shown on Figure 2.5.

2.5.2 Building and Site Design

Building Design. The proposed Project would incorporate architectural influences from Santa Barbara, Andalusian, Monterey, and Formal Spanish design styles.

Parking. Based on the City of Garden Grove parking requirements for small lot subdivisions (GGMC Section 9.12.040.060), the proposed Project would be required to provide 3.75 parking spaces per unit, which would be a total of 262.5 spaces. Per the site plan, the proposed Project would provide 140 enclosed garage parking spaces and 70 driveway apron spaces. The proposed Project would also provide 53 additional on-street parallel parking spaces. Consistent with the City of Garden Grove parking requirements, the proposed Project would provide 263 parking spaces.

This page intentionally left blank

Figure 2.5: Site Plan

This page intentionally left blank

Landscaping and Fencing. Figure 2.6 depicts the Conceptual Landscaping Plan for the proposed Project. As shown on Figure 2.5, the proposed Project would include 10 ft landscaped setbacks between the sidewalks and the community wall along Garden Grove Boulevard and Lewis Street. According to the Conceptual Landscape Plan, landscaping in the setback area would include Camphor trees (*Cinnamomum camphora*) or other similar trees and shrubs. Crepe Myrtle (*Lagerstroemia indica*) or other similar trees and shrubs would be planted in the landscaped buffer at the corner of Lewis Street and Garden Grove Boulevard and near the Project entrance on Lewis Street. Landscaping in setback areas would be maintained by the homeowners association (HOA).

The Conceptual Landscaping Plan also includes landscaping within the gated residential community that would be maintained either by the HOA or individual homeowners, depending on the location of the landscaping. Landscaping on either side of the gated entrance and in and around the recreation area would include various trees and low-water use varieties of turf that would be maintained by the HOA.

Landscaping in the front yard of each residential unit would include shrubs and trees and would be maintained by individual homeowners. Additional landscaping in the back yards of residential units would be installed and maintained by individual homeowners consistent with the HOA-approved plant palette.

In total, 148,600 square feet (sf) (3.41 acres) of landscaping would be installed. All HOA-maintained landscaped areas would be irrigated with an electronically operated irrigation system utilizing water sensors and programmable irrigation cycles. This system may also include smart timers, rain sensors, and moisture shut-off valves. The irrigation systems would be in conformance with the City of Garden Grove's water efficiency guidelines. Systems would be tested twice per year, and water used during testing/flushing would not be discharged to the storm drain system. This system would be managed by the HOA after Project implementation.

The proposed Project includes the construction of an approximately 6 to 8 ft tall masonry block wall around the perimeter of the site. The wall would be constructed using concrete slump blocks. The wall would provide privacy and buffer potential noise from the nearby streets and adjacent land uses. In addition, 6 ft masonry walls are proposed along the interior property lines of each unit.

Vehicular and Pedestrian Access. Vehicular and pedestrian access to the proposed Project site would occur via one gated access entry off Lewis Street. In addition, an access point located on Garden Grove Boulevard would only be accessible to emergency vehicles.

The vehicular access on Lewis Street would be located at the northeast corner of the Project site and would line up with El Rancho Avenue (on the east side of Lewis Street). The gate would be electronically controlled and would be designed to meet the City of Garden Grove's standard gate entry requirements. Residents would have remote controls to open the gate. In addition, a call box would ring to residents' phones to provide guest access. A code-protected pedestrian gate adjacent to the vehicular gate would also be included for residents and guests.

This page intentionally left blank

Figure 2.6: Conceptual Landscaping Plan

This page intentionally left blank

Emergency vehicles would be able to enter and exit the Project site via the gated-access driveway off Lewis Street or the gated-access driveway off Garden Grove Boulevard. The gate control would be operable by a Knox emergency override key switch. In addition, a remote gate-opening device would be installed on both electronically operated gates. The remote opening systems currently available from the Orange County Fire Authority are either optical or radio-controlled. Optical systems work the same as the traffic signal preemption system by using the emergency vehicle's strobe light to open the gate. The radio-controlled system would open the gate when the emergency responder clicks the receiver on an 800-megahertz radio.

Circulation. Circulation through the residential community would occur via a private access drive that would provide direct access to each residential unit. The Project would use rolled curbs in place of driveway cuts.

The Orange County Transit Authority operates four bus routes within 0.5 mile of the Project site (Route 47 along Lewis Street near the site, a 15-minute frequency rush-hour route; Route 56, a local route along Garden Grove Boulevard near the site; Route 454, a Stationlink route along Lewis Street near the site; and Route 16, a route along Garden Grove Boulevard from the nearby hotel to Disneyland). The nearest railway station is Anaheim Station located approximately 2.3 miles to the north of the Project site. This station is served by the Metrolink Orange County Line and Amtrak's Pacific Surfliner.

Lighting. The proposed Project would include on-site lighting consisting of street lighting (approximately 14 ft in height), low-level bollard lighting (less than 4 ft in height), and wall lighting (less than 7 ft in height). Where necessary, lighting may be hooded or shielded to focus the light downward and prevent light spillage onto adjacent properties.

Signage. The proposed Project would include a community identification monument sign wall with a maximum height of 6 ft at the Project entry, as well as address signage on the residential units. During construction, temporary signage would designate construction and model home traffic routes.

Police and Fire Access. As discussed in this section, emergency vehicles would be able to enter and exit the Project site via the gated access driveway off Lewis Street or the gated emergency access driveway off Garden Grove Boulevard. Per GGMC Section 18.32.040 (amending Section 507.5.1 of the International Fire Code), an automatic sprinkler system would be provided in all residential units. The proposed Project includes the installation of three fire hydrants on the Project site. In addition, three existing fire hydrants are located in close proximity to the Project site on Garden Grove Boulevard and Lewis Street.

Sustainability Features. The proposed Project would be consistent with California's Title 24 energy code and the California Green Buildings Standards codes. As such, the proposed Project would incorporate the following sustainability features:

- Low-flow toilets
- Low-flow showerheads
- Low-flow kitchen faucets
- Tankless water heaters
- Light-emitting diode (LED) recessed can lighting
- LED exterior coach lighting
- LED Surface Mount Fixtures
- LED Pendant Lighting
- Preplumb/prewire the houses for a future condensing water heater
- Prewire the houses for a future electric vehicle car outlet
- Prewire the house for future solar

Water Quality Best Management Practices. The Project will incorporate the use of permeable pavers in most on-street parking stalls within the Project site. These pavers will trap pollutants in storm water and allow for infiltration for low flow events. Other management practices include minimizing impervious surfaces to allow for greater infiltration on the site, education for homeowners, and activity restrictions (e.g., vehicle washing restrictions). Best management practices (BMPs) will be regulated and maintained by the HOA for the community.

The proposed Project is subject to the State Water Resources Control Board National Pollutant Discharge Elimination System County Permit (Order Nos. R8-2009-0030 and R8-2010-0062). Under this order, the proposed Project must develop a Project-specific Water Quality Management Plan (WQMP) and implement BMPs to mitigate for pollutants of concern and runoff concerns. BMPs would be described in complete detail within the WQMP for the Project. Prior to construction, the Project would obtain coverage under the County Permit. The site WQMP map is shown on Figure 2.7. Section 4.9 provides more information pertaining to hydrology and water quality.

2.5.3 General Plan and Zoning

The proposed Project includes a General Plan Amendment to modify the land use designation of the Project site from Civic/Institutional (CI) to Low Density Residential (LDR). According to the City of Garden Grove General Plan, the LDR designation is intended to create, maintain, and enhance residential areas characterized by detached single-unit structures and single-family residential neighborhoods. Densities for LDR range from 1 to 9 dwelling units per acre with detached units each on their own parcel. Following Project implementation, the Project site would have a net density of 7.8 dwelling units per acre.

The R-1, Single-Family Residential, zone allows density ranging from one to nine dwelling units per acre based on a single unit per lot and a range of allowed lot sizes prescribed to different neighborhoods (5,000 sf, 6,000 sf, 7,200 sf, 11,000 sf, and 15,000 sf). The Project site currently

Figure 2.7: Water Quality Management Plan

This page intentionally left blank

has a zoning designation of R-1.6, which allows a lot size up to 6,000 sf; however, in order to develop the Project as proposed, the zoning of the property is proposed to be changed to a Residential Planned Unit Development.

In addition, the Project would include a Development Agreement between the City of Garden Grove and the Project Applicant. With the approval of a Development Agreement, the Applicant will be guaranteed 4 years in which to construct the Project and the City will receive a Development Agreement that is designed to reduce the economic costs of new projects to the public and mitigate development-related impacts on the community.

2.5.4 Reorganization

The Project requires the reorganization¹ of approximately 0.901 acre from the City of Orange into the City of Garden Grove. The reorganization would adjust the boundary between the City of Garden Grove and the City of Orange to the centerline of Lewis Street. As shown on Figure 2.8, Area of Reorganization, the boundary between the City of Garden Grove and the City of Orange would follow the centerline of Lewis Street north to the centerline of El Prado Avenue. Just north of the triangular section of undeveloped land created by the rerouting of Lewis Street as a result of the construction of SR-22, the adjusted boundary would rejoin the existing boundary between the two cities.

The reorganization consists of (1) the detachment of 0.901 acre from the City of Orange, (2) annexation of the same territory to the City of Garden Grove and the Garden Grove Sanitary District, and (3) concurrent amendment to each agency's sphere of influence. In addition, the reorganization would result in the change of service providers as shown in Table 2.B.

Table 2.B: Utility Provider Changes due to Reorganization

	City of Orange		City of Garden Grove
Water	City of Orange	→	City of Garden Grove
Sewer	City of Orange/Orange County Sanitation District	→	Garden Grove Sanitary District/Orange County Sanitation District
Solid Waste	CR&R	→	Republic

Upon this reorganization, the City of Garden Grove would assume service responsibilities for the reorganized area and would be entitled to a portion of the revenues previously accruing to the City of Orange to offset associated service costs. For the proposed Project, a property tax exchange agreement must be negotiated and approved by both the City of Orange and the City of

¹ "Reorganization" means two or more changes of organization contained in a single proposal (California Government Code §56073). A change of organization may include any of the following: annexation to a city or a district; detachment from a city or a district; a district dissolution or formation; a city incorporation or disincorporation; a consolidation of cities or districts; a merger of a city and a district; establishment of a subsidiary district; or exercise of new functions by a special district (California Government Code §56021). Annexation is the process by which a territory is incorporated into a City. Detachment is the process by which a territory is removed from a City.

This page intentionally left blank

Figure 2.8: Proposed Reorganization

This page intentionally left blank

Garden Grove prior to the Local Agency Formation Commission taking formal action on boundary reorganization.

2.5.5 Infrastructure Improvements

On-site and Off-site Infrastructure. The Project infrastructure to be implemented would require connections to existing off-site infrastructure systems. These systems, which include water, sanitary sewer, and storm water drains, would be constructed on site and would be fully provided and maintained by the HOA and/or individual homeowners. All on-site systems, with the exception of storm water drains, would connect to existing infrastructure in Garden Grove Boulevard and Lewis Street. No existing storm pipes or channels are located immediately downstream of the

Project site. Therefore, similar to the existing condition, runoff from the Project site discharges directly to Garden Grove Boulevard, where it surface flows along local streets until it eventually enters the storm drain system at Ranchero Way, approximately 0.6 mi southwest of the Project site. Because Garden Grove Boulevard conveys storm water, during some rain events the street may operate with limited capacity to the same extent it does in the existing condition.

As shown on Figure 2.9, specific infrastructure improvements would include:

- Relocation of existing water lines and installation of a new 8-inch domestic water line that would connect to the relocated 12-inch water line currently located in Lewis Street;
- Installation of a new 8-inch domestic water line that would connect to an existing 12-inch water line located in Garden Grove Boulevard;
- Installation of a new 8-inch sanitary sewer line that would connect to an existing sanitary sewer line in Garden Grove Boulevard;
- Relocation of existing off-site gas lines in Lewis Street and installation of on-site gas lines that would connect to the relocated existing gas lines;
- Installation of a new on-site, underground electrical distribution system; and
- Installation of new on-site, underground phone and communication system;

2.5.6 Implementation/Phasing

Project construction would generally occur in the following five steps:

- Phase 1: Demolition and Site Preparation
- Phase 2: Grading
- Phase 3: Underground Utilities
- Phase 4: Paving
- Phase 5: Phased Home Construction

This page intentionally left blank

Figure 2.9: Infrastructure Improvements

This page intentionally left blank

The Project would begin with removal of the existing buildings and parking lot. Thereafter, Project site preparation, grading, construction, and paving would occur. The construction trips that would be generated on a daily basis throughout each phase of construction would be based on construction workers and delivery of construction materials.

The construction phase with the highest construction trip generation would be grading, which is anticipated to last three months (or approximately 60 construction days). Based on preliminary construction operation estimates and preliminary grading plans, grading the Project site would require approximately 6,000 cubic yards of cut and 23,000 cubic yards of fill. The construction of the proposed Project would require approximately 17,000 cubic yards of soil import. Trucks with a 14-cubic-yard capacity are anticipated to be used. The total estimated number of trucks required for soil import is 1,215.

During peak excavation periods, the proposed Project construction is anticipated to generate up to 21 daily haul trucks (and 42 daily trips) that would be distributed throughout an 8-hour day. Assuming a passenger car equivalent (PCE) factor of 2 for haul trucks, 84 PCE construction trips are anticipated to be generated on a daily basis during this phase of Project construction, with approximately 11 PCE trips occurring each hour, during both the a.m. and the p.m. peak hours. The weekday a.m. peak period is 7:00 a.m. to 9:00 a.m. and the weekday p.m. peak period is 4:00 p.m. to 6:00 p.m. The majority of construction workers are anticipated to arrive and depart outside the peak hours, while delivery trucks would arrive and depart throughout the day.

Project construction is anticipated to take approximately 31 months. The expected date for construction to begin is May 2017 and the expected date of completion is December 2019. Model homes are anticipated to open in June 2018. All construction equipment, including construction worker vehicles, would be staged on the Project site for the duration of the construction period. In addition, the proposed Project construction schedule would comply with GGMC Chapter 8.47, which limits construction activities to the hours between 10:00 p.m. on one day and 7:00 a.m. the next day when the Project site is within a residential area or within 500 ft of a residential area.

2.6 DISCRETIONARY ACTIONS

Development of the proposed Project would require discretionary approvals by the City as the Lead Agency. The City's discretionary actions would include the following:

- **General Plan Amendment.** The Project proposes to change the General Plan land use designation of the Project site from CI to LDR.
- **Zone Change.** The Project proposed to change the zoning designation of the site from R-1, Single-Family Residential, to Planned Unit Development.
- **Tentative Tract Map.** A Tentative Tract Map is required to subdivide the Project site for single-family residential units, open space, and private street parcels.
- **Site Development Permit.** A Site Development Permit accompanies the Tentative Tract Map to provide for the review of detailed plans for the proposed development Project.

- **Development Agreement.** A Development Agreement between the City and the Project Applicant would be prepared to specify the standards and conditions, as well as the Development Agreement fees that would govern development of the property.
- **Reorganization.** The Project requires the approval of the Orange County Local Agency Formation Commission (LAFCO) for the proposed reorganization of 0.901 acre from the City of Orange into the City of Garden Grove and the Garden Grove Sanitary District and concurrent amendments to the boundaries of the agencies' spheres of influence.
- **Property Tax Exchange Agreement.** The reorganization of jurisdictional lines to allow for the inclusion of 0.901 acre from the City of Orange into the City of Garden Grove. This reorganization requires the approval of a Property Tax Exchange Agreement between the City of Orange and the City of Garden Grove.

2.7 PROBABLE FUTURE ACTIONS BY RESPONSIBLE AGENCIES

The proposed Project will require approvals, permits, or authorization from other agencies, classified as "Responsible Agencies" under the California Environmental Quality Act (CEQA). According to Section 15381 of the *State CEQA Guidelines*, a Responsible Agency is defined as a public agency other than the Lead Agency that will have discretionary approval power over the Project or some component of the Project, including mitigation. These agencies include, but are not limited to, the agencies identified in Table 2.C.

Table 2.C Probable Future Actions by Responsible Agencies

Agency	Action
Local Agency Formation Commission	<ul style="list-style-type: none"> • Approval of the reorganization of 0.901 acre from the City of Orange into the City of Garden Grove and the Garden Grove Sanitary District and concurrent agency sphere of influence amendments. • Recordation of a Certificate of Completion with the County Recorder's Office upon satisfaction of all terms and conditions in the resolution ordering the reorganization.
City of Orange/City of Garden Grove	<ul style="list-style-type: none"> • Approval of a Property Tax Exchange Agreement • Approval of the reorganization of 0.901 acre from the City of Orange to the City of Garden Grove

2.8 OTHER MINISTERIAL CITY ACTIONS

Ministerial permits/approvals would be issued by the City of Garden Grove or other appropriate agency to allow site preparations, curb cuts (if necessary), connections to the utility infrastructure, and other Project features subject to ministerial permits.

3.0 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this Project, involving at least one impact that is a “Less Than Significant Impact with Mitigation Incorporated” as indicated by the checklist on the following pages.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture & Forest Resources | <input type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Geology/Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input checked="" type="checkbox"/> Hazards & Hazardous Materials | <input checked="" 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 checked="" type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation/Traffic | <input type="checkbox"/> Utilities/Service Systems | <input checked="" type="checkbox"/> Tribal Cultural Resources |
| <input checked="" type="checkbox"/> Mandatory Findings of Significance | | |

DETERMINATION. On the basis of this initial evaluation:

1. I find that the Project **could not** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared. ☐
2. I find that although the proposed 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. ☒
3. I find the proposed Project **may have a significant effect** on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required. ☐
4. I find that the proposed 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. ☐
5. I find that although the proposed 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. ☐

Planning Services Manager

Date

This page intentionally left blank

4.0 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 off-site as well as on-site, 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: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than 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 analyses may be cross-referenced, as discussed below).
5. Earlier analyses 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 explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significant.

4.1 AESTHETICS

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(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) Substantially degrade the existing visual character or quality of the site and its surroundings?	<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"/>

Impact Analysis:

(a) Would the Project have a substantial adverse effect on a scenic vista?

California State Government Code Section 65560(b)(3) stipulates that city and county General Plans address "...Open space for outdoor recreation, including but not limited to, areas of outstanding scenic, historical and cultural value; areas particularly suited for park and recreation purposes, including access to lakes shores, beaches, and rivers, and streams; and areas which serve as links between major recreation and open space reservations, including utility easements, banks of rivers and streams, trails, and scenic highway corridors..."

A scenic vista is generally defined as a viewpoint that provides expansive views of a highly valued landscape for the benefit of the general public. The City of Garden Grove (City) General Plan does not identify specific areas of importance for visual quality or scenic resources within the City. Rather, according to the Parks, Recreation, and Open Space Element in the City's General Plan, the City included a Parks, Recreation, and Open Space Element in its General Plan because providing adequate parkland, recreation opportunities, and management and conservation of limited open space resources is a priority to the urbanized City.

The proposed Project would be located in a fully urbanized area of the City. The current use of the Project site is a church and school consisting of nine buildings, two play yards (one asphalt-covered and the other on an athletic field), and a parking lot. Chain-link fences are located on the north and west sides of the property, and wrought-iron fencing is used along Garden Grove Boulevard. The Project site is bounded by Garden Grove Boulevard to the south, Lewis Street to the east, light industrial uses to the west with State Route 22 (SR-22) beyond, and medium-density residential housing along El Prado Avenue to the north with SR-22 beyond. The surrounding views comprise a developed suburban environment that is built out. No scenic vistas are visible from the Project site.

In addition, no public parks are located on, or adjacent to, the Project site. The park closest to the Project site is the Haster Basin Recreational Park, which is approximately 0.5 mile (mi) northwest of the Project site at 12952 Lampson Avenue. Therefore, the proposed Project does not have the potential to damage scenic vistas from public parks, and no mitigation is

required. Refer to Section 4.15, Recreation, for additional discussion and analysis of potential impacts related to public parks in the City.

The proposed Project includes the demolition of existing on-site uses and the construction of 70 single-family detached residential units. The existing buildings in the vicinity of the Project site range from 1 to 13 stories; however, the majority of structures adjacent to the site are one and two stories in height. The proposed residential units would be two stories. While no designated scenic vistas are visible from the Project site or surrounding properties, the proposed Project would not block views of scenic vistas because the Project would not be substantially taller than the existing surrounding uses. Therefore, because the proposed Project is redeveloping a site in an already built out area of the City and no identified scenic vistas are within its proximity, the proposed Project does not have the potential to damage scenic vistas, and no mitigation would be required.

Significance Determination: No Impact

Mitigation Measures: No mitigation is required

(b) Would the Project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

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. SR-22, located approximately 200 feet (ft) north of the Project site, is not identified as an eligible or State-designated Scenic Highway. Therefore, the proposed Project would not damage resources within a State-designated scenic highway.

In addition, no existing aesthetic or visual resources located on the Project site or in the surrounding vicinity have been designated in the City's General Plan. No existing scenic rock outcroppings are located within the Project limits. While the proposed Project would result in the removal of existing ornamental trees and landscaping on the site, the Project proposes to replace these trees and landscaping with new trees and vegetation along the internal roadways and southern and eastern borders of the site. Therefore, the proposed Project would not result in a significant impact to scenic resources. No mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No mitigation is required

(c) Would the Project substantially degrade the existing visual character or quality of the site and its surroundings?

The Project site is located within a fully developed urban environment. As shown on Figures 2.4a and 2.4b, the area is characterized by a variety of residential and commercial uses, and major roadways/highways (i.e., Garden Grove Boulevard to the south and SR-22 to the north). The Project site is developed with Shepard's Grove Church and school. The site is

developed with a total of nine buildings, two play areas, an athletic field, and a surface parking lot. The Project site can be accessed via driveways off Garden Grove Boulevard and South Lewis Street.

The Project site is the former site of the St. Callistus Catholic Church and is associated with post-World War II development. The existing church structure at the southeastern corner of the site was designed by the renowned Southern California architectural firm Barker and Ott Architects. While the firm was known for its elaborate buildings and religious structures, the building on the site is a departure from the aesthetically elaborate Mediterranean/Spanish Colonial Revival Style for which the firm is known. The existing church building is characterized by plaster white walls, a large stained glass window, and a steeple with an adjoining cross. The majority of this structure is two stories in height, with the exception of the steeple and cross feature, which extend up to three stories in height. The remaining buildings on the Project site are also associated with post-World War II development, are one story in height, and are characterized by white plaster exteriors and brick accents. These buildings are modest and their aesthetic value does not rise above the ordinary.

Construction. Construction of the proposed Project would involve on-site grading and construction activities that would be visible to travelers along Garden Grove Boulevard, South Lewis Street, and other adjacent roadways. Construction activities for the proposed Project would be short-term and all construction vehicles would be staged on the site for the duration of the of the construction period. Visual impacts during construction would be temporary in nature and would cease upon Project completion. In addition, as discussed in Mitigation Measure NOI-1, a temporary 8-ft high perimeter wall would be placed along the northern perimeter of the Project site such that the line of sight from ground-level construction equipment and sensitive receptors (to the north) would be blocked. Therefore, construction impacts would be less than significant, and no mitigation is required.

Operation. The proposed Project is a residential development that includes 70 single-family detached residential units. The residences to be developed as part of the Project would incorporate architectural influences from Santa Barbara, Andalusian, Monterey, and Formal Spanish designs. While the existing buildings in the vicinity of the Project site range from 1 to 13 stories (with the majority of the development in the vicinity characterized by one- and two-story buildings), the proposed residential units would be two stories. As such, the proposed height of the buildings and massing associated with the proposed Project would be visually consistent with the existing urban environment in this area.

In the existing conditions, ornamental landscaping on the Project site is minimal and is generally limited to ornamental trees and shrubs fronting Garden Grove Boulevard and South Lewis Street, with the exception of the grassy open space/play area on the northwestern corner of the site. Landscaping included as part of the proposed Project would include ornamental trees and shrubbery in 10 ft setbacks along Garden Grove Boulevard and South Lewis Street, and would include the addition of landscaping along the proposed internal roadways. Trees proposed as part of the Project would include golden rain trees, camphor trees, crape myrtles, southern magnolias, date palms, and California fan palms. The proposed Project would also include a variety of shrubs, including but not limited to the following: aloe, sticky monkey flower, French lavender, deer grass, Tuscan blue rosemary, and Mexican

brush sage (Figure 2.6, Conceptual Landscaping Plan). The proposed Project also includes the development of a private recreation area located near the entrance to the residential community. This area would feature a playground, an open turf area, two covered barbeque areas, and a shade structure with bench seating.

In summary, the proposed Project would develop the Project site with low-density single-family residential uses. Single- and multifamily residential uses of varying densities already exist in the vicinity of the Project site. Consequently, the proposed Project would not fundamentally alter the surrounding land use character. In addition, the proposed Project would be similar to the height and mass of the surrounding development and the proposed architecture would not be incompatible with the mixed architectural styles of the neighborhood (e.g., housing units in the area exhibit modest examples of Contemporary, Ranch-Style, and Modern architectural styles). Furthermore, the landscaping would be similar to, or an improvement to, the existing landscaping on the Project site and the surrounding area. Therefore, because the proposed Project is replacing an existing development in an already built-out neighborhood and will be compatible with the surrounding development, the proposed Project would not degrade the character or quality of the Project site, nor would the proposed Project contribute to an overall degradation of the visual character or quality of the surrounding area. Therefore, impacts related to the degradation of the visual character or quality of the site would be less than significant, and no mitigation would be required.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required

(d) Would the Project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

The impact of nighttime lighting depends upon the type of use affected, the proximity to the affected use, the intensity of specific lighting, and the background or ambient level of the combined nighttime lighting. Nighttime ambient light levels may vary considerably depending on the age, condition, and abundance of point-of-light sources present in a particular view. The use of exterior lighting for security and aesthetic illumination of architectural features may contribute to ambient nighttime lighting conditions.

The spillover of light onto adjacent properties has the potential to interfere with certain activities, including vision, sleep, privacy, and general enjoyment of the natural nighttime condition. Light-sensitive uses include residential, some commercial and institutional uses, and, in some situations, natural areas. Changes in nighttime lighting may become significant if a proposed project substantially increases ambient lighting conditions beyond its property line and project lighting routinely spills over into adjacent light-sensitive land use areas.

Reflective light (glare) is caused by sunlight or artificial light reflecting from finished surfaces (e.g., window glass) or other reflective materials. Glass and other materials can have many different reflectance characteristics. Buildings constructed of highly reflective materials from which the sun reflects at a low angle commonly cause adverse glare. Reflective light is

common in urban areas. Glare generally does not result in the illumination of off-site locations but results in a visible source of light viewable from a distance.

Nighttime illumination impacts are evaluated in terms of the Project's net change in ambient lighting conditions and proximity to light-sensitive land uses. The Project site is developed with Shepard's Grove Church and St. Callistus Elementary School. The site is developed with a total of nine buildings, two play areas, an athletic field, and a surface parking lot. The Project site is surrounded by a variety of residential, commercial, and light industrial uses. Sensitive receptors in the vicinity of the site include residential uses to the north, east, and south of the site. Other sources of light on and adjacent to the Project site include exterior lighting from adjacent properties, street lights, and vehicle headlights.

Construction activities would occur primarily during daylight hours. As discussed in Section 2.5.6, for the purposes of this analysis, an 8-hour construction day is assumed (from roughly 7:00 a.m. to 4:00 p.m.). Any construction-related illumination during evening and nighttime hours would be shielded to the extent feasible and would consist of the minimum lighting required for safety and security purposes only and would occur only for the duration required for the temporary construction process. Due to its limited scope and short duration, light resulting from construction activities would not substantially impact sensitive uses, substantially alter the character of off-site areas surrounding the construction area, or interfere with the performance of an off-site activity. Therefore, construction of the proposed Project would not create a new source of substantial light or glare that would adversely affect day or nighttime views in the area, and light impacts associated with construction would be less than significant. No mitigation would be required.

The proposed Project would be located within a developed area of the City, which currently emits lighting that is typical for an urban area (i.e., residential and commercial uses). The proposed Project would include on-site lighting consisting of street lighting (approximately 14 ft in height), low-level bollard lighting (less than 4 ft in height), and wall lighting (less than 7 ft in height). All on-site lighting would be stationary and directed away from adjoining properties and public right-of-ways. Exterior lighting would be directed, positioned, or shielded in such a manner as to not "unreasonably illuminate the window area of nearby residences" (Garden Grove Municipal Code, Section 9.12.040.210). The proposed Project would include on-site lighting typical of residential development and would be consistent with the City's Municipal Code Section 9.08.040, Single-Family Residential Development and Design Standards. Lighting plans are subject to City review and approval as part of the site plan review process.

Impacts related to glare from on-site lighting would not occur because the exterior building materials and façade would not include highly reflective materials (e.g., windows or glass with mirror-like tints). In addition, the buildings would be shielded by the perimeter wall and by landscaping along Lewis Street and Garden Grove Boulevard.

Therefore, lighting provided as part of the proposed Project would be largely consistent with the type and intensity of existing lighting in the Project vicinity. The final lighting for the Project would be subject to review and approval and part of the site plan review process, but compliance with the City's Municipal Code would ensure lighting sufficient for safety

purposes all also ensure that all exterior lighting would be directed, positioned, or shielded in such a manner as to not “unreasonably illuminate the window area of nearby residences.” As such, the proposed Project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. No mitigation is required.

Shade/Shadow. Shading resulting from new development projects pertains to the blockage of direct sunlight by proposed on-site structures on adjacent properties. Factors that influence the extent of shading include the season, time of day, weather, building height, bulk and scale of new development, spacing between buildings, and tree cover. The longest shadows are cast during winter months when the sun is lowest on the horizon and the shortest shadows are cast during the summer months. Shadows are also longer in the early morning and afternoon hours.

Residential uses closest to the Project site are located directly north of the Project site. These structures are two stories in height, which is the same height as residential structures proposed as part of the Project. An existing 8-ft fence, which currently casts shadows on existing residential uses to the north, is also located along the perimeter of the Project site. The proposed Project would reduce the amount of shadow cast as compared to existing conditions because the proposed Project would include replace the existing 8 ft fence with a 6 ft wall and would locate residential structures on the site approximately 80 to 100 ft south of the residential structures to the north.

Therefore, Project implementation is not anticipated to result in significant shade/shadow impacts to existing uses.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required

4.2 AGRICULTURE AND FOREST RESOURCES*Would the project:*

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Impact Analysis:**(a) Would the Project 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?**

The Project site is not used for agricultural production and is not designated Prime Farmland, Unique Farmland, or Farmland of Statewide Importance on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency.¹ The surrounding area is characterized by residential, light industrial, and commercial uses. The proposed Project would not convert Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or any other type of farmland to non-agricultural uses. Therefore, no impacts to Prime Farmland, Unique Farmland, or Farmland of Statewide Importance would occur, and no mitigation is required.

Significance Determination: No Impact**Mitigation Measures:** No mitigation is required

¹ California Department of Conservation. California Important Farmland Finder. <http://maps.conservation.ca.gov/ciff/ciff.html>, accessed November 11, 2016.

(b) Would the Project conflict with existing zoning for agricultural use, or a Williamson Act contract?

The Project site currently has a zoning designation of R-1.6, which allows for the development of single-family residential units with a lot size up to 6,000 square feet (sf) and is not used for agricultural production, is not zoned for agricultural production, and is not protected by or eligible for a Williamson Act contract. Therefore, no impacts to agricultural use or a Williamson Act contract would occur, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No mitigation is required

(c) Would the Project 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))?

The Project site currently has a zoning designation of R-1.6, which allows for the development of single-family residential units with a lot size up to 6,000 sf; the Project site is not used for timberland production, is not zoned as forest land or timberland, and does not contain forest land or timberland. Therefore, no impacts to forest land or timberland would occur, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No mitigation is required

(d) Would the Project result in the loss of forest land or conversion of forest land to non-forest use?

The proposed Project site was previously developed with a church and school. The proposed Project would not convert forest land to a non-forest use. Likewise, the Project site would not contribute to environmental changes that could result in conversion of forest land to non-forest use. Therefore, no impacts to forest land would occur, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No mitigation is required

(e) Would the Project 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?

The Project site currently has a zoning designation of R-1.6, which allows for the development of single-family residential units with a lot size up to 6,000 sf. The Project site has been development since 1962 and the surrounding area is characterized by residential,

light industrial, and commercial uses. The proposed Project site would not convert farmland to a non-agricultural use. Likewise, because the Project site is already developed and is not located in the vicinity of any existing agricultural land or land zoned for agricultural uses, the proposed Project would not contribute to environmental changes that could result in conversion of farmland to non-agricultural use. Therefore, no impacts to farmland or forest land would occur, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No mitigation is required

This page intentionally left blank

4.3 AIR QUALITY

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(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) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) 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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Impact Analysis:

(a) Would the Project conflict with or obstruct implementation of the applicable air quality plan?

The Project site is located in the City of Garden Grove, within the South Coast Air Basin (SCAB). The SCAB includes all of Orange County (County) and portions of Los Angeles, Riverside, and San Bernardino Counties. Air quality within the SCAB is under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). SCAQMD and the Southern California Association of Governments (SCAG) adopted the *2012 Air Quality Management Plan* (2012 AQMP) in February 2013.

The main purpose of an AQMP is to describe air pollution control strategies to be taken by a city, county, or region classified as a nonattainment area in order to bring the area into compliance with federal and State air quality standards. A nonattainment area is considered to have air quality worse than the National Ambient Air Quality Standards (NAAQS) as defined in the federal Clean Air Act. The SCAB is in nonattainment for the federal and State standards for ozone (O₃) and particulate matter less than 2.5 microns in diameter (PM_{2.5}). In addition, the SCAB is in nonattainment for the State standard for particulate matter less than 10 microns in diameter (PM₁₀). The SCAB is in attainment/maintenance for the federal PM₁₀, carbon monoxide (CO), and nitrogen dioxide (NO₂) standards.

Consistency with the 2012 AQMP would be achieved if a project is consistent with the goals, objectives, and assumptions in the respective plan to achieve the federal and State air quality standards. Per SCAQMD's *CEQA Air Quality Handbook* (1993), there are two main indicators of a project's consistency with the applicable AQMP: (1) whether the project would increase the frequency or severity of existing air quality violations, cause or contribute to new violations, or delay timely attainment of air quality standards or the interim emission reductions specified in the applicable AQMP (2012 AQMP); and (2) whether the project would exceed the AQMP's assumptions for final year (2030 for the 2012 AQMP) or yearly increments based on the year of project build out and phasing. For the proposed Project to be

consistent with the AQMP, the pollutants emitted from the Project should not exceed the SCAQMD daily threshold or cause a significant impact on air quality. Additionally, if feasible mitigation measures are implemented and shown to reduce the impact level from significant to less than significant, a project may be deemed consistent with the AQMP.

As discussed in Responses 4.3.b, 4.3.c, 4.3.d, and 4.3.e, the proposed Project's emissions would be below the emissions thresholds established in SCAQMD's *CEQA Air Quality Analysis Handbook* (2014a) and would not be expected to result in significant air quality impacts.¹ Additionally, the Project's current zoning designation (R-1; Residential) has been accounted for in the 2012 AQMP. ~~Because the proposed Project would not require a General Plan Amendment, +~~ Therefore, the proposed Project would be consistent with the 2012 AQMP.

Therefore, the proposed Project would not conflict with the AQMP and would not conflict with or obstruct implementation of the AQMP. No mitigation is required.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required

(b) Would the Project violate any air quality standard or contribute substantially to an existing or projected air quality violation?

Specific criteria for determining the significance of potential air quality impacts of a project are set forth in SCAQMD's *Air Quality Analysis Handbook* (2015). The criteria include emission thresholds and compliance with State and national air quality standards. A summary of the specific criteria is presented as follows.

Thresholds for Construction Emissions. The following significance thresholds for construction emissions have been established by SCAQMD:

- 75 pounds per day (lbs/day) of reactive organic gases (ROG)
- 100 lbs/day of nitrogen oxides (NO_x)
- 550 lbs/day of CO
- 150 lbs/day of PM₁₀
- 55 lbs/day of PM_{2.5}
- 150 lbs/day of sulfur oxides (SO_x)

¹ SCAQMD published the *CEQA Air Quality Handbook* in April 1993. SCAQMD is in the process of developing an update to the 1993 Handbook. In the meantime, the *Air Quality Analysis Handbook* on SCAQMD's website includes updated guidance for some of the major areas of analysis. The *CEQA Air Quality Handbook* and the *Air Quality Analysis Handbook* will both hereafter be referred to as the CEQA Handbook within this document.

Thresholds for Operational Emissions. The following significance thresholds for operational emissions have been established by SCAQMD:

- 55 lbs/day of ROG
- 55 lbs/day of NO_x
- 550 lbs/day of CO
- 150 lbs/day of PM₁₀
- 55 lbs/day of PM_{2.5}
- 150 lbs/day of SO_x

Projects in the SCAB with construction or operation emissions that exceed any of the emission thresholds above would be considered significant by SCAQMD.

Localized Significance Thresholds. Localized significance thresholds (LSTs) 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 standard. LSTs are developed based on the ambient concentrations of that pollutant for each source receptor area (SRA) and distance to the nearest sensitive receptor. For the proposed Project, LSTs are only applicable to the following criteria pollutants: NO_x, CO, PM₁₀, and PM_{2.5}.

SCAQMD provides look-up tables to determine a project's SRA and associated mass rate LST by project size (SCAQMD 2014b). The proposed Project is in Source Receptor Area (SRA) 17 (Central Orange County).

The LST levels typically apply to projects that are less than 5 acres in area; however, guidance is provided for projects larger than 5 acres that use the California Emissions Estimator Model (CalEEMod) for the air quality emissions analysis (SCAQMD 2011). Under the SCAQMD guidance, the maximum daily disturbed area should be calculated and used for determining the size of the Project site disturbed acreage. Using SCAQMD's method for calculating the maximum daily disturbed area, construction information provided by the applicant, and CalEEMod default construction equipment lists, the site preparation and grading phase would result in a maximum disturbed area of 3.5 acres as a result of using three dozers (a maximum daily area of 0.5 acres each) and four tractors (a maximum daily area of 0.5 acres each).

The LST look-up tables are only provided for three project sizes: 1 acre, 2 acres, or 5 acres. Because the maximum daily disturbed area for the proposed Project is 3.5 acres, the LST data for the Project site was interpolated between the data set for 2 acres and the data set for 5 acres. This methodology is consistent with SCAQMD's Fact Sheet for Applying CalEEMod to Localized Significance Thresholds, which indicates that the size of a project site's disturbed acreage may be reduced given the Project's standard conditions and construction features (i.e., construction activities would be contained within a specific area on

the site).¹ The sensitive receptors closest to the Project site include residences located directly adjacent to the northern boundary of the Project site; therefore, the minimum distance in the mass rate look-up table of 25 meters was used.

The following construction significance thresholds for LSTs would apply to 3.5-acre disturbed acreage in SRA 17 at a distance of 25 meters:

- 149 lbs/day of NO_x
- 984 lbs/day of CO
- 9.5 lbs/day of PM₁₀
- 5.5 lbs/day of PM_{2.5}

The following operation significance thresholds for LSTs would apply to the Project site in SRA 17 at a distance of 25 meters:

- 149 lbs/day of NO_x
- 984 lbs/day of CO
- 2.5 lbs/day of PM₁₀
- 1.5 lbs/day of PM_{2.5}

Projects in the SCAB with construction or operation emissions that exceed any of the LSTs above are considered significant by SCAQMD.

Short-Term (Construction) Emissions. Air quality impacts could occur during construction of the proposed Project due to soil disturbance and equipment exhaust. Major sources of emissions during grading and site preparation include (1) exhaust emissions from construction vehicles, (2) equipment and fugitive dust generated by construction vehicles and equipment traveling over exposed surfaces, and (3) soil disturbances from grading and backfilling. The following summarizes construction emissions and associated impacts of the proposed Project.

Construction of the proposed Project would include the following tasks: demolition, site preparation, grading, construction, paving, and architectural coating. Emissions were analyzed using CalEEMod (Version 2016.3.1). Project-specific information provided by the applicant was used where available, including land use details, construction schedule, and earthwork requirements. LSA assumed, based on the size of the building area as illustrated on Google Earth satellite images, that approximately 196,000 sf of existing buildings would be demolished. Default CalEEMod inputs were used for the remaining modeling variables in the absence of Project-specific information (e.g., types construction equipment and number of construction vehicles/equipment, number of construction workers, and the duration of

¹ SCAQMD Fact Sheet for Applying CalEEMod to Localized Significance Thresholds. Website: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/localized-significance-thresholds/calmod-guidance.pdf?sfvrsn=2>, accessed January 30, 2017.

construction activity). The CalEEMod default inputs are considered a “worst-case” scenario for the purposes of CEQA analysis.

Fugitive dust emissions are generally associated with land clearing, exposure, and cut-and-fill operations. The amount of dust generated daily during construction would vary substantially, depending on the level of activity, the specific operations, and weather conditions. Nearby sensitive receptors and on-site workers may be exposed to blowing dust, depending on prevailing wind conditions. Fugitive dust would also be generated as construction equipment or trucks travel on unpaved areas of the construction site. The PM₁₀ and PM_{2.5} fugitive dust emissions are included in Table 4.3.A. Fugitive dust emissions would be substantially reduced by compliance with SCAQMD Rules 402 and 403; compliance with SCAQMD Rules 402 and 403 is required for all projects in the SCAB. The implementation of on-site watering on exposed unpaved surfaces at least three times daily and limiting vehicle speeds to 15 miles per hour (mph) on all unpaved surfaces were accounted for in the Project emission estimates.

Table 4.3.A: Peak Daily Construction Emissions (lbs/day)

	ROG	NO _x	CO	SO ₂	PM ₁₀ (total)	PM _{2.5} (total)
Peak Daily Construction Emissions	9.0	78.6	57.3	0.1	8.8	5.5
SCAQMD Construction Emissions Threshold	75	100	550	150	150	55
Exceed Significance?	No	No	No	No	No	No

Note: Emission results assume implementation of SCAQMD Rule 402 and Rule 403.

Source: LSA, November 2016.

CO = carbon monoxide

lbs/day = pounds per day

NO_x = nitrogen oxide

PM_{2.5} = particulate matter less than 2.5 microns in diameter

PM₁₀ = particulate matter less than 10 microns in diameter

ROG = reactive organic gases

SCAQMD = South Coast Air Quality Management District

SO₂ = sulfur dioxide

Table 4.3.A summarizes the peak daily construction emissions based on the CalEEMod emission estimates, which includes some overlap of the architectural coating application and the building construction phase. This table shows that construction equipment/vehicle emissions during construction periods would not exceed any of the SCAQMD established daily emissions thresholds. Table 4.3.A also shows that the proposed Project would not exceed SCAQMD emissions thresholds for PM₁₀, and PM_{2.5}. Therefore, the proposed Project would not exceed SCAQMD construction emissions thresholds and short-term (construction) air quality impacts would be less than significant. No mitigation is required.

Construction Localized Significance. Table 4.3.B shows the maximum on-site construction emissions of CO, NO_x, PM₁₀, and PM_{2.5} during each construction phase. As shown in Table 4.3.B, the proposed Project would not exceed the LSTs for construction emissions. Therefore, impacts from construction-related emissions would be less than significant and no mitigation is required.

Long-Term (Operational) Emissions. Long-term air emission impacts are associated with any change in permanent use of the Project site by on-site stationary and off-site mobile sources that substantially increase emissions. Stationary-source emissions include emissions associated with electricity consumption and natural gas usage. Mobile-source emissions usually result from vehicle trips associated with a project.

Table 4.3.B: LST Thresholds and Construction Emissions

Emissions Source	On-Site Emission Rates (lbs/day)			
	NO _x	CO	PM ₁₀	PM _{2.5}
Demolition	42.7	23.0	3.7	2.3
Site Preparation	52.3	23.5	6.0	4.4
Grading	33.9	17.1	2.9	2.2
Paving	73.8	51.4	4.7	4.4
Building Construction + Architectural Coating ¹	25.4	19.5	1.7	1.6
Localized Significance Threshold (3.5 acres site at 25 meters)	149	984	9.5	5.5
Significant Impact?	No	No	No	No

Note: Emission results assume implementation of SCAQMD Rule 402 and Rule 403.

Source: LSA, November 2016.

¹ The building construction and architectural coating phases overlap for the majority of both phases; therefore, the daily on-site emissions were summed for LST comparison.

CO = carbon monoxide

LST = localized significance thresholds

NO_x = nitrogen oxide

SCAQMD = South Coast Air Quality Management District

PM_{2.5} = particulate matter less than 2.5 microns in diameter

PM₁₀ = particulate matter less than 10 microns in diameter

Operational emissions associated with the proposed Project (including energy use for appliances, landscaping equipment, use of consumer products, and motor vehicles) were calculated using CalEEMod and are included in Table 4.3.C. Trip generation rates were taken from the Traffic Impact Analysis performed for the Project (LSA 2017b). The proposed Project would comply with SCAQMD Rule 445 (Wood Burning Devices), which prohibits wood-burning devices from being installed in new developments; therefore, the “no hearth” option was selected in the area mitigation section of CalEEMod. As shown in Table 4.3.C, the proposed Project would not exceed any operational emissions thresholds established by SCAQMD. Therefore, the proposed Project would not cause any long-term (operational) air quality impacts, and no mitigation is required.

Operation Localized Significance. Table 4.3.D shows the on-site operational emissions of CO, NO_x, PM₁₀, and PM_{2.5}. As shown in Table 4.3.D, the calculated emissions rates during operation of the proposed Project are below the LSTs for CO, NO_x, PM₁₀, and PM_{2.5}. Therefore, the proposed Project would not cause any long-term LST significant air quality impacts, and no mitigation is required.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required

Table 4.3.C: Daily Operational Emissions

Source	Pollutants (lbs/day)					
	ROG	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Area-Source Emissions	4.1	0.1	5.8	0.0	0.0	0.0
Energy-Source Emissions	0.1	0.6	0.2	0.0	0.0	0.0
Mobile-Source Emissions	1.2	5.3	16.2	0.1	4.9	1.4
Total Emissions	5.4	6.0	22.2	0.1	4.9	1.4
SCAQMD Threshold	55	55	550	150	150	55
Exceed SCAQMD Threshold?	No	No	No	No	No	No

Source: LSA, November 2016.

CO = carbon monoxide

lbs/day = pounds per day

NO_x = nitrogen oxidePM_{2.5} = particulate matter less than 2.5 microns in diameterPM₁₀ = particulate matter less than 10 microns in diameter

ROG = reactive organic gases

SCAQMD = South Coast Air Quality Management District

SO₂ = sulfur dioxide**Table 4.3.D: Localized Operational Emissions**

Emissions Source	Emission Rates (lbs/day)			
	NO _x	CO	PM ₁₀	PM _{2.5}
Area Source	0.07	5.82	0.03	0.03
Energy Consumption	0.55	0.23	0.04	0.04
Total	0.62	6.05	0.07	0.07
Localized Significance Threshold (3.5 acres site at 25 meters)	149	984	2.5	1.5
Significant Impact?	No	No	No	No

Source: LSA, November 2016.

CO = carbon monoxide

lbs/day = pounds per day

NO_x = nitrogen oxidePM_{2.5} = particulate matter less than 2.5 microns in diameterPM₁₀ = particulate matter less than 10 microns in diameter

(c) Would the Project 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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

The SCAB is in nonattainment for the federal and State standards for O₃ and PM_{2.5}. In addition, the SCAB is in nonattainment for the State PM₁₀ standard, and is in attainment/maintenance for the federal PM₁₀, CO, and NO₂ standards. As discussed in Response 4.3.b, no exceedance of SCAQMD's criteria pollutant emission thresholds would be anticipated for the proposed Project. The projected emissions of criteria pollutants as a result of the proposed Project are expected to be below the emissions thresholds established for the region. In addition, emissions that do not exceed SCAQMD thresholds also are not

cumulatively considerable. Therefore, because Project emissions would not exceed SCAQMD thresholds, the Project would also not cause a cumulatively considerable net increase of criteria pollutant emissions that are in nonattainment status in the SCAB. No mitigation is required.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required

(d) Would the Project expose sensitive receptors to substantial pollutant concentrations?

As described in Response 4.3.b, the proposed Project would not significantly increase short-term (construction) emissions, LST emissions, or long-term (operational) emissions in the Project area. Construction of the proposed Project may expose surrounding sensitive receptors to airborne particulates as well as a small quantity of construction equipment pollutants (i.e., usually diesel-fueled vehicles and equipment). However, construction contractors would be required to implement measures to reduce or eliminate emissions prescribed in 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. Some of the applicable dust suppression techniques from Rule 403 are summarized as follows:

- Apply nontoxic chemical soil stabilizers according to manufacturers' specifications to all inactive construction areas (previously graded areas inactive for 10 days or more).
- Water active sites at least twice daily (locations where grading is to occur will be thoroughly watered prior to earthmoving).
- All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least 2 ft of freeboard in accordance with the requirements of California Vehicle Code Section 23114 (freeboard means vertical space between the top of the load and top of the trailer).

Therefore, sensitive receptors are not expected to be exposed to substantial pollutant concentrations during construction and potential short-term impacts are considered less than significant. No mitigation is required.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required

(e) Would the Project create objectionable odors affecting a substantial number of people?

SCAQMD's *CEQA Handbook* identifies various secondary significance criteria related to odorous air contaminants. Substantial odor-generating sources include land uses such as agricultural activities, feedlots, wastewater treatment facilities, landfills, or heavy

manufacturing uses. Pursuant to SCAQMD Rule 402, these sources shall include a quantitative assessment of potential odors and meteorological conditions. The Project does not propose any such uses or activities that would result in potentially significant odor impacts. Some objectionable odors may emanate from the operation of diesel-powered construction equipment during construction of the proposed Project. However, these odors would be limited to the construction period and would disperse quickly; therefore, these odors would not be considered a significant impact.

The proposed Project is a residential development, which does not typically produce objectionable odors. Potential sources of operational odors generated by the Project would include disposal of miscellaneous refuse and common or residential uses. SCAQMD Rule 402 acts to prevent occurrences of odor nuisances. Consistent with City requirements, all Project-generated refuse would be stored in covered containers and removed at regular intervals in compliance with solid waste regulations. Therefore, no significant impacts related to objectionable odors would result from the proposed Project, and no mitigation is required.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required

This page intentionally left blank

4.4 BIOLOGICAL RESOURCES*Would the project:*

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (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 checked="" type="checkbox"/>	<input 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"/>

Impact Analysis:**(a) Would the Project 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?**

The Project site is currently developed and is located in an urban area. The Project site is currently developed with a church and school consisting of nine buildings, two play yards (one asphalt-covered and the other on an athletic field), and a parking lot. Ornamental landscaping consisting of trees, shrubs, and turf is located on the Project site in the existing setting. With the exception of the large turf sports field, most of the existing landscaping is located in setbacks along Lewis Street and Garden Grove Boulevard.

While all of the existing on-site landscaping would be removed as part of the proposed Project, there is no native vegetation on the Project site. The Project site does not contain habitat that would support sensitive species, and there are no known candidate, sensitive, or special-status animal species inhabiting the site. According to the Conservation Element in

the 2008 General Plan for the City (page 10-3), biological resources are almost nonexistent in the City due to the urban nature of the City and surrounding areas. Additionally, the United States Fish and Wildlife Service (USFWS) *Threatened & Endangered Species Active Critical Habitat Report (2016b)* does not identify any locations of critical habitat within approximately 4 mi of the Project site. The closest known critical habitat is approximately 4 mi away to the northeast of the Project site.¹ Therefore, no impacts to sensitive or special-status species would result from implementation of the proposed Project, and no mitigation is required.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required

(b) Would the Project 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 U.S. Fish and Wildlife Service?

The Project site is currently developed and is located in an urban area. As discussed in Response 4.4.a, the USFWS *Threatened & Endangered Species Active Critical Habitat Report (2016b)* does not identify any locations of critical habitat within approximately 4 mi of the Project site. The closest known critical habitat is approximately 4 mi away to the northeast of the Project site. Therefore, no significant impacts related to riparian habitat or other sensitive natural communities identified in a local or regional plan would result from Project implementation, and no mitigation is required.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required

(c) Would the Project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

The Project site is currently developed and is located in an urban area. Based on a review of site photographs and current and historical aerial images, the Project site does not contain federally protected wetlands as defined by Section 404 of the Clean Water Act. Therefore, implementation of the proposed Project would not have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including but not limited to marsh, vernal pools, and coastal) through direct removal, filling hydrological interruption, or other means, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No mitigation is required

¹ The closest known critical habitat is within Peters Canyon Regional Park and contains coastal California gnatcatcher.

(d) Would the Project 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?

The Project site is currently developed and is located in an urban area. Because urban development surrounds the site, the proposed Project site does not function as a wildlife movement corridor. Species that are found on site either fly onto the site or are able to navigate on the ground through long stretches of urban development. Therefore, the Project site does not contain any native resident or migratory fish, wildlife species, or wildlife corridors. In addition, no portion of the Project site or the immediately surrounding areas contains an open body of water that serves as natural habitat in which fish could exist.

The existing trees on the Project site may, however, provide habitat suitable for nesting migratory birds. All of the existing on-site trees would be removed during construction. Therefore, the proposed Project has the potential to impact active bird nests if vegetation and trees are removed during the nesting season. Nesting birds are protected under the federal Migratory Bird Treaty Act (MBTA) (Title 33, United States Code, Section 703 et seq., see also Title 50, Code of Federal Regulations, Part 10) and Section 3503 of the California Department of Fish and Game Code. Therefore, implementation of the proposed Project would be subject to the provisions of the MBTA, which prohibits disturbing or destroying active nests. Project implementation must be accomplished in a manner that avoids impacts to active nests during the breeding season. Therefore, if Project construction occurs between February 1 and September 15, a qualified biologist shall conduct a nesting bird survey no more than 3 days prior to ground- and/or vegetation-disturbing activities to confirm the absence of nesting birds. As documented in Mitigation Measure BIO-1, avoidance of impacts can be accomplished through a variety of means, including establishing suitable buffers around any active nests. With implementation of Mitigation Measure BIO-1, impacts to nesting birds would be less than significant and no mitigation is required.

Significance Determination: Potentially Significant Impact

Mitigation Measures:

BIO-1 Migratory Bird Treaty Act. In the event that vegetation and tree removal should occur between February 1 and September 15, the Developer (or its 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 of the designated construction area prior to construction, the biologist shall establish suitable buffers around the active nests (e.g., as much as 500 feet for raptors and 300 feet for nonraptors [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, the Director of the City of Garden Grove Community and Economic Development Department, or designee, shall verify that all Project grading and construction plans are consistent with the requirements stated above, that preconstruction surveys have been completed 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.

Significance Determination after Mitigation: Less than Significant Impact

(e) Would the Project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Chapter 11.32 of the City's Municipal Code regulates the care and removal of trees on public property. While the proposed Project does include the removal of trees on the Project site, no trees in the public right-of-way would be removed, cut, pruned, broken, injured, or planted. Therefore, the proposed Project would not conflict with the provisions in the City's Municipal Code. The proposed Project would not result in a significant impact related to local policies or ordinances protecting biological resources, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No mitigation is required

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

The Project site is currently developed and is located in an urban area. The Project site is not located in or adjacent to an existing or proposed Habitat Conservation Plan (HCP), Natural Community Conservation Plan (NCCP), or other approved local, regional, or State HCP. More specifically, the City is not located within the boundaries of the Orange County Central/Coastal NCCP/HCP. As such, implementation of the proposed Project would not conflict with the provisions of an HCP, NCCP, or other habitat conservation plan, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No mitigation is required

4.5 CULTURAL RESOURCES

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(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) 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"/>
(d) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact Analysis:

The discussion and analysis provided in this section is based on the *Paleontological Analysis of the Lewis Street Reorganization between the City of Garden Grove and the City of Orange (RO 17-01) and Residential Project*¹, *Cities of Garden Grove and Orange, County of Orange, California (Paleontological Analysis)* (LSA, October 2016b; Appendix B), the *Archaeological Survey of the 9 acre Lewis Street Reorganization between the City of Garden Grove and the City of Orange (RO 17-01) and Residential Project, City of Garden Grove, County of Orange, California (Archaeological Survey)* (LSA, October 2016a; Appendix B), and *Historic Resources Assessment for the Lewis Street Reorganization between the City of Garden Grove and the City of Orange (RO 17-01) and Residential Project, City of Garden Grove, Orange County, California* (LSA, 2017a; Appendix B).

(a) Would the Project cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?

The California Environmental Quality Act (CEQA) defines a “historical resource” as a resource that meets one or more of the following criteria: (1) listed in, or determined eligible for listing in, the California Register of Historical Resources (California Register); (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 *State 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

¹ The Orange County Local Agency Formation Commission (LAFCO) refers to this Project as the Lewis Street Reorganization between the City of Garden Grove and the City of Orange (RO-17-01).

(4) has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation.

On August 22, 2016, a records search to identify previously recorded prehistoric and historic cultural resources and cultural resource surveys within 0.5 mi of the Project area was conducted by Michelle Galaz at the South Central Coastal Information Center (SCCIC) of the California Historical Resources Information System at California State University, Fullerton. The SCCIC houses the pertinent archaeological and historic site and survey information necessary to determine whether cultural resources are known to exist within the Project area. The records search included a review of all recorded historic and prehistoric archaeological sites within the 0.5 mi radius of the Project site, as well as a review of known cultural resource survey and excavation reports. The records search showed that 20 studies have been conducted within 0.5 mi of the Project area. The records search revealed that the Project area had never been previously surveyed and that the Project area contains no previously recorded prehistoric or historic resources. One prehistoric site, P-30-392, was previously recorded nearly 0.5 mi southwest of the current Project, while a historic single-family residence built in 1948, P-30-177026, is recorded on Lewis Street just north of the Project area. While the residence still exists, the prehistoric site was destroyed by development.

Based on a review of historic aerial photographs, it was determined by LSA Historian Elisa Bechtel that the existing on-site church hall was constructed in 1962, followed by the construction of the rectory in 1964, and the school building and its associated classrooms in 1967. Therefore, due to the ages of some of the buildings on the Project site, five of the existing buildings were evaluated for significance as potential historical-period (50 years of age or older) resources in accordance with the California Register criteria. The five buildings that were evaluated were the 1962 church hall, a large school building, two classroom buildings, and a rectory. There is no local cultural resources ordinance or criteria under which to evaluate potential historical resources.

Table 4.5.A, Historical Evaluation of Existing Buildings on the Project Site, provides an evaluation of the property under the California Register criteria. A more detailed history and complete evaluation can be found in the Department of Parks and Recreation Forms included as attachments to the *Historic Resources Assessment for the Lewis Street Reorganization between the City of Garden Grove and the City of Orange (RO 17-01) and Residential Project* (2017a; Appendix B).

As detailed in Table 4.5.A, the property does not meet any of the California Register criteria and the existing buildings on the Project site do not qualify as “historical resources” as defined by CEQA. Therefore, the proposed Project would not cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5 of the State CEQA Guidelines, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No mitigation is required

(b) Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

As discussed in Response 4.5.a, on August 22, 2016, a records search to identify previously recorded prehistoric and historic cultural resources and cultural resource surveys within 0.5 mi of the Project area was conducted by Ms. Galaz at SCCIC of the California Historical Resources Information System at California State University, Fullerton. The SCCIC houses the pertinent archaeological and historic site and survey information necessary to determine whether cultural resources are known to exist within the Project area. The records search included a review of all recorded historic and prehistoric archaeological sites within the 0.5 mi radius of the Project site, as well as a review of known cultural resource survey and excavation reports. The records search showed that 20 studies have been conducted within 0.5 mi of the Project area. The records search revealed that the Project site had never been previously surveyed and that it contains no previously recorded prehistoric or historic resources. One prehistoric site, P-30-392, was previously recorded nearly 0.5 mi southwest of the current Project, while a historic single-family residence built in 1948, P-30-177026, is recorded on Lewis Street just north of the Project area. While the residence still exists, the prehistoric site was destroyed by development.

On August 24, 2016, LSA archaeologist Ivan Strudwick conducted a pedestrian survey of the Project site. Ground visibility during this survey ranged from 0 to 100 percent, and was best in landscaped areas, planters, and in the open athletic field in the northwest portion of the Project site. No prehistoric resources were identified on the Project site during the pedestrian survey, likely because the Project site has been significantly altered from its original undeveloped condition. The archaeological survey concluded there is little potential for the proposed Project to impact prehistoric resources due to significant prior disturbance from past grading and development activities. In the unlikely event archaeological resources are discovered at any time during construction, those activities would be halted in the vicinity of the find until the find can be assessed for significance by a qualified archaeologist (Mitigation Measure CUL-1). Implementation of Mitigation Measure CUL-1 would reduce any potential impacts to previously undiscovered archaeological resources to a less than significant level.

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

Table 4.5.A: Historical Evaluation of Existing Buildings on the Project Site

California Register of Historic Resources Criteria	Discussion
Criterion 1: Associated with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States.	The property is associated with the post-World War II development boom that made a significant contribution to the broad patterns of local, regional, and even national history. However, the property is a modest example of its type and is no more representative than any other church building dating from this time period. Therefore, this church complex is unimportant and insignificant. No additional information was found to suggest that the church was a cultural or community institution.
Criterion 2: Associated with the lives of persons important to local, California, or national history.	No information was found to suggest that anyone associated with the church complex during the historic period is significant in history.
Criterion 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.	<p>The church complex was designed by a noted architectural firm; however, more elaborate buildings in the area convey a stronger association with this firm. The church is also a departure from the Mediterranean/Spanish Colonial Revival style for which the firm is known and is, therefore, not representative of their work. Consequently, the church complex is not significant for its association with this prominent architectural firm. No evidence was found on architect Ulysses E. Bauer and contractors Gentosi Brothers and John M. Dallas, Jr. to suggest they were significant in history.</p> <p>The buildings that date to the historic period appear to have sustained only minimal alterations, retaining integrity of design, workmanship, and materials. However, these buildings are modest and do not rise above the ordinary. Much of the City of Garden Grove's architecture was constructed in the Modern style during the same time period as the church, and much of it remains today. Therefore, these buildings are not exceptional nor are they rare examples of the style in the City and the buildings are not considered significant under this criterion.</p>
Criterion 4: Has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation.	This church complex was built between 1962 and 1967 using common building materials and practices. The church complex does not have the potential to yield important information.

Source: Historic Resources Assessment for the Lewis Street Reorganization between the City of Garden Grove and the City of Orange (RO 17-01) and Residential Project (2017a; Appendix B).

Significance Determination: Potentially Significant Impact

Mitigation Measure:

CUL-1 Unknown Archeological Resources. In the event that archaeological resources are discovered during excavation, grading, or construction activities, work shall cease within 50 feet of the find until a qualified archaeologist from the Orange County List of Qualified Archaeologists has evaluated the find in accordance with federal, State, and local guidelines to determine whether the find constitutes a “unique archaeological resource,” as defined in Section 21083.2(g) of the California Public Resources Code (PRC). Personnel of the proposed Project shall not collect or move any archaeological materials and associated materials. Construction activity may continue unimpeded on other portions of the Project site. The found deposits shall be treated in accordance with federal, State, and local guidelines, including those set forth in PRC Section 21083.2. Prior to commencement of grading activities, the Director of the City of Garden Grove Community and Economic Development Department, or designee, shall verify that all Project grading and construction plans include specific requirements regarding California PRC (Section 21083.2[g]) and the treatment of archaeological resources as specified above.

Significance Determination after Mitigation: Less than Significant Impact

(c) Would the Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

As part of the *Paleontological Analysis* prepared for the proposed Project, LSA examined geologic maps of the Project site and reviewed relevant geological and paleontological literature to determine which geologic units are present within the Project site and whether fossils have been recovered within the Project site or from similar geologic units elsewhere in the region. A search for known fossil localities was also conducted through the Natural History Museum of Los Angeles County (LACM) in order to determine the status and extent of previously recorded paleontological resources within and surrounding the Project site.

Results of the literature review indicate that the Project site is located at the northern end of the Peninsular Ranges Geomorphic Province, a 900 mi long northwest-southeast-trending structural block that extends from the Transverse Ranges in the north to the tip of Baja California in the south and includes the Los Angeles Basin.

Geologic mapping of the Project area indicates that the Project site contains Holocene to late Pleistocene in age (less than 126,000 years ago) Young Alluvial Fan Deposits. In addition, the Geotechnical Report for the Project indicates that the Project site is underlain by 5 ft of Artificial Fill. Artificial Fill consists of sediments that have been removed from one location and transported to another location and, therefore, has no paleontological sensitivity. Young Alluvial Fan Deposits are Holocene to late Pleistocene in age (less than 126,000 years ago) and consist of unconsolidated silt, sand, and gravel. Cobble- and boulder-size clasts are also

present and are more abundant closer to the hills and mountains. Although Holocene (less than 11,700 years ago) deposits can contain remains of plants and animals, only those from the middle to early Holocene (4,200 to 11,700 years ago) are considered scientifically important. Moreover, scientifically important fossils from middle to early Holocene deposits are not very common. However, the older Pleistocene deposits that may be reached below a depth of approximately 10 ft have produced scientifically important fossils elsewhere in the County and region. As such, there is a potential to encounter scientifically important resources in the older sediments of this geologic unit at a depth of approximately 10 ft. Therefore, these deposits have a low paleontological sensitivity above 10 ft and a high sensitivity below that mark.

According to the locality search conducted by the Los Angeles County Museum (LACM), there are no known fossil localities on the Project site. The locality search also confirmed that the Project site is underlain by Young Alluvial Fan Deposits with older Quaternary sediments occurring at various depths as part of the Santa Ana River general floodplain. One vertebrae fossil locality (LACM 1652) is located in the younger Quaternary alluvium along Rio Vista Avenue south of the Lincoln Avenue north-northeast of the Project site. This locality produced a fossil specimen of sheep. The closest vertebrate fossil locality in older Quaternary sediments is LACM 4943, located east of LACM 1652 along Fletcher Avenue, east of Glassell Street east of the Santa Ana River. This locality produced a specimen of fossil horse at a depth of 8–10 ft below the surface.

Based on the findings of the Fossil Locality Search, LACM believes the shallow excavations in the younger Quaternary alluvial deposits on the Project site are unlikely to recover any scientifically significant vertebrate remains.

As part of the *Paleontological Analysis* prepared for the proposed Project, LSA conducted a field survey by walking linear transects in areas of the site where ground surface was visible and visually inspecting exposed sediment within plant areas. Built areas were not surveyed. The findings from this field survey indicate that the entire Project site exhibits major disturbance and has been highly altered from its original state. Exposed sediments in the on-site planters consist of silty loam, with some sand and gravel. The exposed sediments in the grassy areas on the site are medium to coarse sand with silt and surrounded by rounded gravel, consistent with the Young Alluvial Fan Deposits mapped on the site. No paleontological resources were encountered during this survey.

The potential for paleontological resources on the Project site is considered low because the site contains Artificial Fill (which has no paleontological sensitivity) and Young Alluvial Fan Deposits (which have low paleontological sensitivity from the surface to a depth of 10 ft and a high sensitivity below that mark). Ground-disturbing activities on the site are not anticipated to extend deeper than 5 ft. Therefore, impacts are anticipated to be less than significant. However, in the unlikely event that fossil remains are encountered on the site, a paleontologist shall be contacted to assess the discovery for scientific significance and to make recommendations regarding the necessity to develop paleontological mitigation (including paleontological monitoring, collection, stabilization, and identification of observed resources; curation of resources into a museum repository; and preparation of a monitoring

report of findings), as required by Mitigation Measure CUL-2. With implementation of Mitigation Measure CUL-2, impacts would be reduced to a less than significant level.

At the completion of Project construction, the proposed Project would not result in further disturbance of native soils on the Project site. Therefore, operation of the proposed Project would not result in a substantial adverse change in the significance of a paleontological resource as defined in Section 15064.5 of the *State CEQA Guidelines* and no mitigation is required.

Significance Determination: Potentially Significant Impact

Mitigation Measure:

CUL-2 Unknown Paleontological Resources. In the event that paleontological resources are discovered during excavation, grading, or construction activities, work shall cease within 50 feet of the find until a qualified paleontologist (i.e., a practicing paleontologist that is recognized in the paleontological community and is proficient in vertebrate paleontology) has evaluated the find in accordance with federal, State, and local guidelines. Personnel of the proposed Project shall not collect or move any paleontological materials and associated materials. Construction activity may continue unimpeded on other portions of the Project site. If any fossil remains are discovered in sediments with a Low paleontological sensitivity rating (Young Alluvial Fan Deposits), the paleontologist shall make recommendations as to whether monitoring shall be required in these sediments on a full-time basis. Prior to commencement of grading activities, the Director of the City of Garden Grove Community and Economic Development Department, or designee, shall verify that all Project grading and construction plans specify federal, State, and local requirements related to the unanticipated discovery of paleontological resources as stated above.

Significance Determination after Mitigation: Less than Significant Impact

(d) Would the Project disturb any human remains, including those interred outside of dedicated cemeteries?

No known human remains are present on the Project site, and there are no facts or evidence to support the idea that Native Americans or people of European descent are buried on the Project site. However, as described previously, buried and undiscovered archaeological remains, including human remains, may be present below the ground surface in portions of the Project site. Disturbing human remains could violate the State's Health and Safety Code, as well as destroy the resource. In the unlikely event that human remains are encountered during Project grading, the proper authorities would be notified, and standard procedures for the respectful handling of human remains during the earthmoving activities would be adhered to. Construction contractors are required to adhere to California Code of Regulations (CCR) Section 15064.5(e), PRC Section 5097, and Section 7050.5 of the State's Health and Safety Code. To ensure proper treatment of burials, in the event of an unanticipated discovery

of a burial, human bone, or suspected human bone, the law requires that all excavation or grading in the vicinity of the find halt immediately, the area of the find be protected, and the contractor immediately notify the County Coroner of the find. The contractor, Developer, and the County Coroner are required to comply with the provisions of CCR Section 15064.5(e), PRC Section 5097.98, and Section 7050.5 of the State's Health and Safety Code. Compliance with these provisions (specified in Mitigation Measure CUL-3), would ensure that any potential impacts to unknown buried human remains would be less than significant by ensuring appropriate examination, treatment, and protection of human remains as required by State law.

Significance Determination: Potentially Significant Impact

Mitigation Measure:

CUL-3 Human Remains. In the event that human remains are encountered on the Project site, work within 50 feet of the discovery shall be redirected and the County Coroner 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. If the remains are determined to be Native American, the County Coroner shall notify the Native American Heritage Commission (NAHC), which shall determine and notify a Most Likely Descendant (MLD). With the permission of the property owner, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC. The MLD may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials. Consistent with CCR Section 15064.5(d), if the remains are determined to be Native American and an MLD is notified, the City shall consult with the MLD as identified by the NAHC to develop an agreement for treatment and disposition of the remains. Prior to the issuance of grading permits, the City of Garden Grove Community and Economic Development Department, or designee, 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.

Significance Determination after Mitigation: Less than Significant Impact

4.6 GEOLOGY AND SOILS*Would the project:*

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a) Expose people or structures to 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"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(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"/>
(e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The discussion and analysis provided in this section is based on the *Preliminary Geotechnical Investigation for St. Callistus Church, City of Garden Grove, California* (Geotechnical Investigation) prepared by Alta California Geotechnical, Inc. (May 2015; Appendix C).

Impact Analysis:

- (a)(i) Would the Project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving 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.**

As with all of Southern California, the Project site is subject to strong ground motion resulting from earthquakes on nearby faults. There are, however, no known faults crossing the Project site. According to the Geotechnical Investigation, the closest mapped active fault is the San Joaquin fault located 5.7 mi to the northeast and the Project site is not within an Alquist-Priolo Fault Hazard Zone. As such, the chance for surface fault rupture, during or as a consequence, of seismic activity is considered unlikely. Therefore, the proposed Project would not expose people or structures to substantial adverse effects involving the rupture of a known earthquake fault as delineated on the most recent Alquist-Priolo Earthquake Fault Zone Map, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No mitigation is required

(a)(ii) Would the Project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking?

The Project site, like all of Southern California, is in an active seismic region. Ground shaking resulting from earthquakes associated with both nearby and more distant faults is likely to occur. The Project site is on the northern portion of the Santa Ana sub-block, approximately 8.7 mi northeast of the Newport-Inglewood fault zone and approximately 10.8 mi southwest of the Whittier segment of the Elsinore fault zone. As discussed in Response 4.6.a.i, the Project site is not located within an “Alquist-Priolo” Special Studies Zone. In addition to the Whittier segment of the Elsinore fault zone and the Newport-Inglewood fault zone, the nearest known active faults are the San Joaquin Hills fault zone, the Puente Hills fault zone, the China fault zone, the San Jose fault zone, and the Palos Verdes fault zone, located approximately 5.7, 6.8, 16.8, 18.2, and 19.3 mi away from the Project site, respectively. During the life of the Project, seismic activity associated with active faults in the area may generate moderate to strong shaking at the Project site.

Ground shaking generated by fault movement is considered a potentially significant impact that may affect the proposed Project. Mitigation Measure GEO-1 requires that the Project applicant comply with the recommendations of the Project Geotechnical Investigation, the most current California Building Code (CBC), and the City Building Code, which stipulates appropriate seismic design provisions that shall be implemented with Project design and construction. With the implementation of Mitigation Measure GEO-1, potential Project impacts related to seismic ground shaking would be reduced to a less than significant level.

Significance Determination: Potentially Significant Impact

Mitigation Measures:

GEO-1 Incorporation of and Compliance with the Recommendations in the Geotechnical Study. All grading operations and construction shall be conducted in conformance with the recommendations included in the geotechnical documents prepared by Alta California Geotechnical, Inc. (included in Appendix C of this IS/MND). Recommendations found in the geotechnical document address topics including but not limited to:

- Earthwork, including site preparations, soil replacement, compaction standards, groundwater seepage, and fill placement;
- Liquefaction;
- Foundations, including post-tensioned slab design recommendations and foundation design parameters;
- Storm water infiltration systems;
- Seismic design parameters;
- Retaining and garden wall design and construction criteria including backfill requirements;

- Concrete flatwork, including exterior slabs, walkways, and design of these features;
- Soil corrosion; and
- Post-construction considerations, including drainage and burrowing animal maintenance.

Additional site grading, foundation, and utility plans shall be reviewed by the Project Geotechnical Consultant prior to construction to check for conformance with the recommendations of this report. The Project Geotechnical Consultant shall be present during site grading and foundation construction to observe and document proper implementation of the geotechnical recommendations. The Project Applicant shall require the Project Geotechnical Consultant to perform at least the following duties during construction:

- Observe and test the bottom of removals to ensure that more unsuitable ground is not uncovered. If unsuitable soils, such as undocumented artificial fill, are exposed upon the completion of the removals, additional removals may be required, as determined by the Project Geotechnical Consultant;
- Observe and approve all removal/over-excavation bottoms prior to fill placement;
- Review boundary conditions as design progresses;
- Sample, test, and approve location of soils proposed for import;
- Observe the footing excavations prior to the placement of concrete to determine that the excavations are founded in suitably compacted material

Grading plan review shall also be conducted by the City of Garden Grove City Engineer, or designee, prior to the start of grading to verify that requirements developed during the preparation of geotechnical documents (Alta California Geotechnical, Inc., Appendix C) have been appropriately incorporated into the Project plans. Design, grading, and construction shall be performed in accordance with the requirements of the City Building Code and the California Building Code (CBC) applicable at the time of grading, as well as the recommendations of the Project Geotechnical Consultant as summarized in the final Geotechnical Report subject to review by the City Engineer, or designee, prior to the start of grading activities. The final Geotechnical Report shall present the results of observation and testing done during grading activities.

Significance Determination after Mitigation: Less than Significant Impact

(a)(iii) Would the Project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction?

Liquefaction commonly occurs when three conditions are present simultaneously: (1) high groundwater; (2) relatively loose, cohesion lacking (sandy) soil; and (3) earthquake-generated seismic waves. Liquefaction effects can manifest in several ways, including (1) loss of bearing, (2) lateral spread, (3) dynamic settlement, and (4) flow failures.

The liquefaction susceptibility of the on-site subsurface soils was evaluated as part of the *Geotechnical Investigation* prepared for the proposed Project. The Geotechnical Investigation used a standard penetration test (SPT) to analyze the liquefaction potential on the Project site. SPT is an in-situ dynamic penetration test designed to provide information on the geotechnical engineering properties of soil. Although groundwater was encountered at 38 ft below existing ground surface, groundwater was modeled at 30 ft below ground surface for the purposes of the liquefaction analysis. According to the Geotechnical Investigation, the Project site is in an area that has encountered or is susceptible to liquefaction. The results of the liquefaction analysis are as follows:

Loss of Bearing. Liquefaction can potentially cause foundation-bearing failure due to ground softening and near failure in bearing. Based on the depth of the groundwater, requirements for the removal of unsuitable soils (i.e., artificial fill and the upper portions of the young alluvial fan deposits), and the proposed height of the design fills, the potential for loss of bearing would be minimal. Therefore, with the inclusion of Mitigation Measure GEO-1, the impacts of loss of bearing due to liquefaction would be less than significant.

Lateral Spreading. The lateral displacement of surficial blocks of sediment can occur as a result of liquefaction in a subsurface layer. The most pervasive forms of lateral spreading typically involve sites located near a “free-face” (e.g., large slopes and channels), however, lateral spreading can occur on sites with gently sloping (1 percent or more) ground (e.g., the subject site). Determination of the potential for lateral spread is based on the presence of continuous potentially liquefiable soil layers underneath the structures, the presence of lateral confinement, and various analyses (e.g., empirical modeling). Surface manifestation of lateral spread is typically limited to sites with liquefiable soils within 10 meters (32 ft) of grade. Based on the depth to liquefiable soils on site, the potential for lateral spread to occur on site is considered low and within design tolerances of the proposed foundation systems. No mitigation is required.

Dynamic Settlement, Dry Sand Settlement, and Differential Settlement. Settlement due to seismic shaking can occur as a result of both liquefaction of saturated sediments or rearrangement of dry sand particles. The analysis in the *Geotechnical Investigation* was performed utilizing SPT from the hollow-stem auger borings and laboratory test results to analyze the potential amount of settlement. A groundwater level of 30 feet below existing ground surface was assumed. The analysis showed that the amount of dynamic settlement varies to as much as 2.4 inches. Mitigation Measure GEO-1 requires the removal of artificial fill and the upper portions of the young alluvial fan deposits and the recompaction of upper soils. The removal of unsuitable soil and specific design parameters the account for up to 2.0-

inches in 40 feet would reduce impacts related to settlement to a less than significant level. Therefore, with the inclusion of Mitigation Measure GEO-1, potential impacts related to settlement would be less than significant.

Flow Failure. Due to the relatively flat nature of the site, and the relatively horizontal deposition of the underlying deposits, the potential for flow failure on site is considered low. No mitigation is required.

Infiltration. Infiltration testing of the on-site soils using one 5 ft deep boring and one 20 ft deep boring was conducted as part of the *Preliminary Geotechnical Investigation* (Alta California Geotechnical, Inc. 2015). The infiltration rates of the 5 ft and 20 ft borings were 0.9 and 0.6 inches per hour, respectively. The proposed water quality BMPs include measures to maximize the natural infiltration capacity of on-site soils. According to the *Preliminary Geotechnical Investigation* (Alta California Geotechnical, Inc. 2015), infiltration systems would increase the potential for liquefaction of the Project site and other measures (e.g., temporary water storage, sand filters, or permeable pavers) are recommended. The proposed Low Impact Development (LID) BMPs, which include hydrologic source controls (impervious area dispersion and impervious area reduction) and infiltration BMPs (permeable concrete pavers), are consistent with the recommendations of the *Preliminary Geotechnical Investigation*. Therefore, the proposed BMPs are not anticipated to increase the potential for liquefaction.

Seismically Induced Landsliding. Due to a lack of slopes within or nearby the property, seismically induced landsliding is not anticipated to pose a danger to the site. No mitigation is required.

Significance Determination: Potentially Significant Impact

Mitigation Measure: Refer to Mitigation Measure GEO-1

Significance Determination after Mitigation: Less than Significant Impact

(a)(iv) Would the Project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving landsliding?

Seismically induced landslides and other slope failures are common occurrences during or soon after earthquakes in areas with significant ground slopes. According to the *Geotechnical Report* prepared for the Project, the Project site is not located in an earthquake-induced landslide zone. The Project site is generally flat, and no existing or historic landslides are present on the property. Therefore, the proposed Project would not exposure people or structures to substantial adverse effects involving seismically induced landslides, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No mitigation is required

(b) Would the Project result in substantial soil erosion or the loss of topsoil?

During construction of the proposed Project, soil would be exposed and there would be increased potential for soil erosion and siltation compared to existing conditions. During storm events, erosion and siltation could occur at an accelerated rate. The increased erosion potential could result in short-term water quality impacts as discussed in Section 4.9, Hydrology and Water Quality. As discussed in Mitigation Measure WQ-1 in Section 4.9, the proposed Project would comply with the Construction General Permit which requires preparation of a Storm Water Pollution Prevention Plan (SWPPP) and implementation of construction best management practices (BMPs) to reduce impacts to water quality during construction, including impacts associated with soil erosion and siltation. With incorporation of construction BMPs as required by Mitigation Measure WQ-1, impacts related to erosion during construction would be reduced to a less than significant level.

As discussed in further detail in Section 4.9, the proposed Project would decrease impervious surface area on the Project site by approximately 0.55 acres, which would reduce runoff from the Project site by 0.74 cubic feet per second (cfs) during a 25-year storm event compared to the existing condition. In the proposed condition, 5.61 acres of the site would be impervious surface areas and not prone to erosion or siltation. The remaining portion of the site (3.16 acres) would primarily be landscaping, which would minimize on-site erosion and siltation. Because the Project would not increase storm water runoff from the Project site, and the Project site surfaces would not be prone to erosion, the Project site would not result in substantial soil erosion or the loss of topsoil during operation. Therefore, with incorporation of Mitigation Measure WQ-1, impacts related to erosion and loss of topsoil would be reduced to a less than significant level.

Significance Designation: Potentially Significant Impact

Mitigation Measures: Mitigation Measure WQ-1

Significance Determination after Mitigation: Less than Significant Impact

(c) Would the Project 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?

Landslides and other forms of mass wasting, including mud flows, debris flows, and soil slips, occur as soil moves downslope under the influence of gravity. Landslides are frequently triggered by intense rainfall or seismic shaking. Because the Project site is in a relatively flat area, landslides or other forms of natural slope instability do not represent a significant hazard to the Project or the surrounding area. In addition, as discussed in Response 4.6.a.iv, the site is not within a State-designated hazard zone for seismically induced landslides.

Although no indications of landslide activity or gross slope instability were observed at the Project site, grading activities during construction would produce temporary construction slopes in some areas. Unstable cut-and-fill slopes could create significant short-term and long-term hazards on and offsite. All excavations must be performed in accordance with City and State Building Codes, and the State Division of Occupational Safety and Health

requirements. Utility trenches would be supported, either by lay back excavations or shoring, in accordance with Occupational Safety and Health Administration standards. Temporary backcuts, if required during removal of unsuitable soils, would be no steeper than 1:1 unless reviewed and approved by the Project Geotechnical Consultant. With implementation of the recommendations in the Project Geotechnical Report (as required in Mitigation Measure GEO-1), potential impacts related to slope instability would be reduced below a level of significance.

As discussed in Response 4.6.a.iii, structures founded on or above potentially liquefiable soils may experience bearing capacity failures due to the temporary loss of foundation support or vertical settlements (both total and differential) and/or undergo lateral spreading. Loss of bearing and ground settlement are of particular concern on the Project site, however, with the inclusion of Mitigation Measure GEO-1, potential impacts would be reduced to a less than significant level.

Subsidence, the sinking of the land surface due to oil, gas, and water production, causes loss of pore pressure as the weight of the overburden compacts the underlying sediments. No subsidence associated with fluid withdrawal is known to have occurred on or in the vicinity of the Project site and no mitigation is required.

Therefore, with implementation of Mitigation Measure GEO-1, potential impacts related to unstable soils or geologic units that would become unstable as a result of the Project, resulting in on- or off-site landslides, lateral spreading, subsidence, liquefaction, or collapse, would be less than significant.

Significance Determination: Potentially Significant Impact

Mitigation Measure: Refer to Mitigation Measure GEO-1

Significance Determination after Mitigation: Less than Significant Impact

(d) Would the Project 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?

Expansive soils contain types of clay materials that occupy considerably more volume when they are wet or hydrated than when they are dry or dehydrated. Volume changes associated with changes in the moisture content of near-surface expansive soils can cause uplift or heave of the ground when they become wet or, less commonly, cause settlement when they dry out. Soils with an expansion index of greater than 20 are classified as expansive for building purposes and, therefore, have a potentially significant impact. Based on laboratory testing in the *Geotechnical Report*, the soils on the Project site were classified to have low to very low expansion potential ($0 \leq \text{Expansion Index} \leq 50$). Therefore, impacts related to expansive soils would be less than significant and no mitigation is required.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required

(e) Would the Project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

The proposed Project does not include construction of septic tanks or connections to septic systems or alternative wastewater disposal systems. Therefore, the proposed Project would not result in impacts related to the soils capability to adequately support the use of septic tanks or alternative wastewater disposal systems, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No mitigation is required

4.7 GREENHOUSE GAS EMISSIONS

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(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 checked="" type="checkbox"/>	<input type="checkbox"/>

Technical Background:

“Greenhouse gases” (GHGs) (so called because of their role in trapping heat near the surface of the Earth) emitted by human activity are implicated in global climate change, commonly referred to as “global warming.” These GHGs contribute to an increase in the temperature of the Earth’s atmosphere by transparency to short wavelength visible sunlight, but near opacity to outgoing terrestrial long wavelength heat radiation in some parts of the infrared spectrum. The principal GHGs are carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), O₃, and water vapor. For the purposes of planning and regulation, Section 15364.5 of the CCR defines GHGs to include, but are not limited to, CO₂, CH₄, N₂O, hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF₆). Fossil fuel consumption in the transportation sector (on-road motor vehicles, off-highway mobile sources, and aircraft) is the single largest source of GHG emissions, accounting for approximately half of GHG emissions globally. Industrial and commercial sources are the second-largest contributors of GHG emissions with about one-fourth of total emissions.

California has passed several bills and the Governor has signed at least three executive orders regarding GHGs. California’s major initiative for reducing GHG emissions is outlined in Assembly Bill (AB) 32, the “Global Warming Solutions Act,” passed by the California State legislature on August 31, 2006. The major components of AB 32 include the following:

- Requiring the monitoring and reporting of GHG emissions beginning with sources or categories of sources that contribute the most to Statewide emissions.
- Requiring immediate “early action” control programs on the most readily controlled GHG sources.
- Mandating that by 2020, California’s GHG emissions be reduced to 1990 levels.
- Forcing an overall reduction of GHGs in California by 25 to 40 percent, from business as usual, to be achieved by 2020.
- Stating that these actions must complement efforts to achieve and maintain federal and State ambient air quality standards and to reduce toxic air contaminants.

To assist public agencies in the mitigation of GHG emissions or analysis of the effects of GHGs under CEQA, including the effects associated with transportation and energy consumption, Senate Bill (SB) 97 (Chapter 185, 2007) required the Governor’s Office of Planning and Research (OPR) to develop *State CEQA Guidelines* on how to minimize and mitigate a project’s

GHG emissions. The new CEQA guidelines became State laws as part of Title 14 of the CCR in March 2010.

The *State CEQA Guidelines* encourage Lead Agencies to consider many factors in conducting a CEQA analysis, but preserve the discretion granted by CEQA to Lead Agencies in making their determinations. Section 15064.4 of the *State CEQA Guidelines* specifies how thresholds of significance for GHG emissions are to be evaluated. *State CEQA Guidelines* Section 15064.4 states:

- (a) The determination of the significance of greenhouse gas emissions calls for a careful judgment by the lead agency consistent with the provisions in section 15064. A lead agency should make a good-faith effort, based to the extent possible on scientific and factual data, to describe, calculate, or estimate the amount of greenhouse gas emissions resulting from a project. A lead agency shall have discretion to determine, in the context of a particular project, whether to:
 - (1) Use a model or methodology to quantify greenhouse gas emissions resulting from a project, and which model or methodology to use. The lead agency has discretion to select the model or methodology it considers most appropriate provided it supports its decision with substantial evidence. The lead agency should explain the limitations of the particular model or methodology selected for use; and/or
 - (2) Rely on a qualitative analysis or performance based standards.
- (b) A lead agency should consider the following factors, among others, when assessing the significance of impacts from greenhouse gas emissions on the environment:
 - (1) The extent to which the project may increase or reduce greenhouse gas emissions as compared to the existing environmental setting.
 - (2) Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project.
 - (3) The extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions. Such requirements must be adopted by the relevant public agency through a public review process and must reduce or mitigate the project's incremental contribution of greenhouse gas emissions. If there is substantial evidence that the possible effects of a particular project are still cumulatively considerable notwithstanding compliance with the adopted regulations or requirements, an EIR must be prepared for the project.

State CEQA Guidelines Section 15064(b) provides that, "the determination of whether a project may have a significant effect on the environment calls for careful judgment on the part of the public agency involved, based to the extent possible on scientific and factual data," and further states that an "ironclad definition of significant effect is not always possible because the

significance of an activity may vary with the setting.” The *State CEQA Guidelines* also clarify that the effects of GHG emissions are cumulative and should be analyzed in the context of the *State CEQA Guidelines* requirements for cumulative impact analysis.

As such, currently the CEQA statutes, the OPR guidelines, and the *State CEQA Guidelines* do not prescribe specific quantitative thresholds of significance or a particular methodology for performing a GHG emissions impact analysis. As with most environmental topics, significance criteria are left to the judgment and discretion of the Lead Agency.

On December 5, 2008, the SCAQMD Governing Board adopted an Interim Quantitative GHG Significance Threshold for industrial projects where SCAQMD is the Lead Agency (e.g., stationary-source permit projects, rules, and plans) of 10,000 metric tons (MT) of CO₂ equivalent (CO₂e) per year. In September 2010, the GHG CEQA Significance Threshold Working Group released revisions that recommended a threshold of 3,000 MT of CO₂e per year for residential projects. This interim 3,000 MT per year recommendation has been used as a guideline for this analysis. In the absence of an adopted numerical threshold of significance, Project-related GHG emissions in excess of the interim recommended guideline level (3,000 MT per year) are presumed to trigger a requirement for enhanced GHG reduction at the Project level.

For the purpose of this technical analysis, the concept of CO₂e is used to describe how much global warming a given type and amount of GHG may cause, using the functionally equivalent amount or concentration of CO₂ as the reference. Individual GHGs have varying global warming potentials and atmospheric lifetimes. CO₂e is a consistent methodology for comparing GHG emissions because it normalizes various GHGs to the same metric. The GHG emissions estimates were calculated using CalEEMod, Version 2016.3.1. CalEEMod is an air quality modeling program that estimates air pollution emissions in pounds per day or tons per year for various land uses, area sources, construction projects, and project operations. Mitigation measures can also be specified to analyze the effects of mitigation on Project emissions.

Impact Analysis:

(a) Would the Project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Construction and operation of the proposed Project would generate GHG emissions, with the majority of energy consumption (and associated generation of GHG emissions) occurring during the Project’s operation (as opposed to its construction). Typically, more than 80 percent of the total energy consumption takes place during the use of buildings, and less than 20 percent is consumed during construction.

Construction Greenhouse Gas Emissions. Construction activities produce combustion emissions from various sources (e.g., site grading, utility engines, heavy-duty construction vehicles on site, equipment hauling materials to and from the site, asphalt paving, and motor vehicles transporting the construction crew). Exhaust emissions from on-site construction activities would vary daily as construction activity levels change. GHG emissions associated with construction of the proposed Project would occur over the short term (approximately 31 months). Appendix A includes the CalEEMod calculations for GHG emissions. The GHG

emission estimates presented in Table 4.7.A show the emissions associated with construction of the proposed Project.

Table 4.7.A: Project Construction Greenhouse Gas Emissions

Year	CO ₂ e Emissions (metric tons/year)
2017	432.0
2018	478.0
2019	405.5
Total Annual Emissions	1,315.5
Amortized	43.9

Source: LSA, November 2016.
CO₂e = carbon dioxide equivalent

SCAQMD's GHG emissions policy for construction is to amortize emissions over a 30-year time period. Construction of the proposed Project would result in total emissions of 43.9 MT of CO₂e per year over the course of 30 years. The estimated construction emissions would be well below SCAQMD's threshold criteria of 3,000 MT of CO₂e per year. Therefore, Project construction would be considered to have a less than significant impact related to GHG emissions and would not, directly or indirectly, have a significant impact on the environment, and no mitigation is required.

Notwithstanding the foregoing, the Project would be required to implement construction exhaust control measures consistent with SCAQMD Rules 402 and 403 for other air quality topics discussed above, including minimization of construction equipment idling and implementation of proper engine tuning and exhaust controls. Both of these measures would reduce GHG emissions during the construction period.

Operational Greenhouse Gas Emissions. Long-term operation of the proposed Project would generate GHG emissions from area and mobile sources, and indirect emissions from stationary sources associated with energy consumption. Area-source emissions would be associated with activities that include landscaping and maintenance of proposed land uses, natural gas for heating, and other sources. Mobile-source emissions of GHGs would include Project-generated vehicle trips associated with on-site residences. Increases in stationary-source emissions would also occur at off-site utility providers as a result of demand for electricity, natural gas, and water by the proposed Project.

The GHG emission estimates presented in Table 4.7.B show the emissions associated with operation of the proposed Project. Appendix A includes the CalEEMod calculations for GHG emissions.

Operation of the proposed Project would result in average emissions of 1,485.1 MT of CO₂e per year. The estimated operational emissions would be well below SCAQMD's interim threshold criteria of 3,000 MT of CO₂e per year. Therefore, Project operation would be considered to have a less than significant impact related to GHG emissions and would not, directly or indirectly, have a significant impact on the environment. No mitigation is required.

Table 4.7.B: Project Operational Greenhouse Gas Emissions

Emission Source	CO ₂ e Emissions (metric tons/year)
Area Sources	1.2
Energy Consumption	426.5
Mobile Sources	936.9
Solid Waste Generation	41.2
Water Consumption	35.4
Annualized Construction	43.9
Total Annual Emissions	1,485.1
Threshold of Significance	3,000.0

Source: LSA, November 2016.

CO₂e = carbon dioxide equivalent

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required

(b) Would the Project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

The City currently does not have an adopted climate action plan to reduce GHG emissions within its jurisdictional boundaries. Absent an adopted climate action plan, City General Plan, California Air Resources Board (ARB), SCAG, and SCAQMD goals and policies related to climate change were used to respond to this threshold.

The Air Quality Element of the City's General Plan (2008) contains policies that are directed at managing the GHG emissions from projects in the City. A discussion of these policies is provided in Table 4.7.C. As shown in this table, the proposed Project would be consistent with the applicable policies in the City's General Plan, and no mitigation is required.

In addition to maintaining consistency with the City's General Plan, the proposed Project would include the following sustainable features that would reduce GHG emissions by reducing energy consumption directly or indirectly through reduced water consumption:

- Low-flow fixtures and appliances including toilets, showerheads, and kitchen faucets;
- Tankless water heaters;
- Light-emitting diode lighting including recessed can lighting, exterior coach lighting, surface mount fixtures, and pendant lighting; and
- Preplumbing to allow for additional future condensing water heaters, electric vehicle car outlets, and solar.

In 2008, the ARB approved a *Climate Change Scoping Plan* as required by AB 32. The *Climate Change Scoping Plan* proposed a "comprehensive set of actions designed to reduce overall carbon GHG emissions in California, improve our environment, reduce our dependence on oil, diversify our energy sources, save energy, create new jobs, and enhance

Table 4.7.C: Project Consistency with General Plan Policies Related to Greenhouse Gas Emissions

General Plan Policy Summary	Project Consistency
Air Quality Element (Chapter 8)	
AQ-IMP-2B – Require new development or redevelopment projects to provide pedestrian and bicycle trail access to nearby shopping and employment centers.	Consistent. The proposed Project would provide pedestrian and bicycle access to and from the project site.
Policy AQ-5.2 – Encourage infill development project within urbanized areas that include jobs centers and transportation nodes.	Consistent. The proposed Project is an infill project within an urbanized area. State Route 22 is located less than 1 mile from the Project. Three-Four Orange County Transportation Transit Authority (OCTA) routes are operated within 0.5 miles of the Project site (including Route 47 along Lewis Street near the site, a 15-minute frequency rush-hour route; Route 56, a local route along Garden Grove Boulevard near the site; Route 454, a Stationlink route along Lewis Street near the site), and Route 16, <u>runs a route</u> along Garden Grove Boulevard <u>between from the</u> nearby hotels <u>and the to</u> Disneyland <u>Transportation Center</u> every 60 minutes. <u>Route 16 is operated by Anaheim Resort Transportation, and</u> A railway station (Anaheim Station) is located approximately 2.3 miles north of the Project site.
Policy AQ-5.6 – Increase residential and commercial densities around bus and/or rail transit stations, and along major arterial corridors.	Consistent. See response to Policy AQ-5.2 above. The Project would increase residential use near transit and major arterials.
AQ-IMP-6D – Require new development to comply with the energy use guidelines in Title 24 of the California Administrative Code	Consistent. The proposed Project would meet or exceed Title 24 energy use requirements.

Source: Garden Grove, City of, 2008. Op. Cit.

public health.” The *Climate Change Scoping Plan* has a range of GHG reduction actions, which include direct regulations, alternative compliance mechanisms, monetary and nonmonetary incentives, voluntary actions, market-based mechanisms (e.g., a cap-and-trade system), and an AB 32 implementation fee to fund the program. In May 2014, the ARB released the First Update to the Climate Change Scoping Plan (2014 Update). In the 2014 Update, nine key focus areas were identified: energy, transportation, agriculture, water, waste management, natural and working lands, short-lived climate pollutants, green buildings, and the cap-and-trade program. As recommended by ARB’s *Climate Change Scoping Plan*, the proposed Project would use green building features as a framework for achieving GHG emissions reductions. The Project’s use of green building features to conserve energy make the Project consistent with AB 32 and the *Climate Change Scoping Plan*.

On April 4, 2012, the Regional Council of SCAG adopted the *2012–2015 Regional Transportation Plan/Sustainable Communities Strategy*. The proposed Project would support and be consistent with relevant and applicable GHG emission reduction strategies in SCAG’s *Sustainable Communities Strategy*. These strategies include providing residences in an urban infill location and within a relatively short distance of existing transit stops, and supporting alternative and electric vehicles via the installation of on-site electric charging stations.

While SCAQMD does not have an adopted threshold for assessing the significance of GHG emissions, the draft screening value for residential use is 3,000 MT of CO₂e per year. As discussed in Threshold 4.7.a, the proposed Project would result in operational and amortized construction GHG emissions that are well below the suggested 3,000 MT of CO₂e per year. As a result, the proposed Project would be consistent with SCAQMD's adopted plans and policies, which were determined by SCAQMD to be consistent with California's State-level plans, policies, and regulations related to GHG. Therefore, the proposed Project is also consistent with State-level plans based on its consistency with the draft interim threshold of 3,000 MT of CO₂e per year, and no mitigation is required.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required

This page intentionally left blank

4.8 HAZARDS AND HAZARDOUS MATERIALS*Would the project:*

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The discussion and analysis provided in this section is based on the Phase I Environmental Site Assessment (Phase I) for the Former St. Callistus Catholic Church Property at 12921 Lewis Street in the City of Garden Grove, California 92840 (Phase I) (Lexington Geoscience, 2015a) (refer to Appendix D of this IS/MND).

Impact Analysis:**(a) Would the Project create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?**

Hazardous materials are chemicals that could potentially cause harm during an accidental release or mishap, and are defined as being toxic, corrosive, flammable, reactive, and irritant, or strong sensitizer.¹ Hazardous substances include all chemicals regulated under the United

¹ A "sensitizer" is a chemical that can cause a substantial proportion of people or animals to develop an allergic reaction in normal tissue after repeated exposure to a chemical (U.S. Department of Labor, 2017).

States Department of Transportation “hazardous materials” regulations and the United States Environmental Protection Agency (EPA) “hazardous waste” regulations. Hazardous wastes require special handling and disposal because of their potential to damage public health and the environment. The probable frequency and severity of consequences from the routine transport, use, or disposal of hazardous materials is affected by the type of substance, the quantity used or managed, and the nature of the activities and operations.

Construction activities associated with the proposed Project would use a limited amount of hazardous and flammable substances (e.g., oils) during heavy equipment operation for site grading and construction. The amount of hazardous chemicals present during construction is limited and would be in compliance with existing government regulations. The potential for the release of hazardous materials during Project construction is low, and even if a release would occur it would not result in a significant hazard to the public, surrounding land uses, or environment due to the small quantities of these materials associated with construction vehicles. Therefore, no mitigation is required.

The proposed Project includes the development of a gated residential community with 70 single-family detached residential units. Residential uses typically do not present a hazard associated with the accidental release of hazardous substances into the environment because residents are not anticipated to use, store, dispose, or transport large volumes of hazardous materials. Hazardous substances associated with residential uses are typically limited in both amount and use such that they can be contained without impacting the environment.

As a residential development, long-term operational activities typical of the proposed residential uses involve the use and storage of small quantities of potentially hazardous materials in the form of cleaning solvents, fertilizers, and pesticides. For example, maintenance activities related to landscaping include the use of fertilizers and light equipment (e.g., lawn mowers and edgers) that may require fuel. As stated previously, these types of activities do not involve the use of a large or substantial amount of hazardous materials. In addition, such materials would be contained, stored, and used in accordance with manufacturers’ instructions and handled in compliance with applicable standards and regulations. Any associated risk would be adequately reduced to a less than significant level through compliance with these standards and regulations. Further, operation of the proposed Project would not store, transport, generate, or dispose of large quantities of hazardous substances. Therefore, potential impacts from the routine transport, use, or disposal of hazardous materials resulting from operation of the proposed Project would be less than significant, and no mitigation would be required.

The Orange County Fire Authority (OCFA) is the administering agency for the chemical inventory and business emergency plan regulations for the City. OCFA’s disclosure activities are coordinated with the Orange County Health Care Agency. The Health Care Agency is a Certified Unified Program Agency for local implementation of the disclosure program and several other hazardous materials and hazardous waste programs. OCFA’s Hazardous Materials Services Section is staffed with technical and administrative personnel who are assigned implementation and management of the disclosure program. All facilities are encouraged to work closely with OCFA in order to eliminate any unnecessary efforts or costs in complying with the disclosure program. The Orange County Waste and Recycling

Department manages four hazardous material and hazardous waste collection centers designed to prevent damage to the environment and reduce risk of accidental poisoning by removing household hazardous materials and medicines from the home. Because these resources are available to anyone in Orange County, it is reasonable to conclude that the residences would use such programs to properly dispose of household hazardous waste. Therefore, impacts associated with the disposal of hazardous materials and/or the potential release of hazardous materials that could occur with the implementation of the proposed Project are considered less than significant, and no mitigation is required.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required

(b) Would the Project create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

The purpose of Phase I was to evaluate the Project site for potential Recognized Environmental Concerns (RECs) that may be present and/or off-site conditions that may impact the Project site. The Phase I prepared for the proposed Project included (1) visual inspection of the Project site and the surrounding area; and (2) a review of regulatory agency reports, aerial photographs, and other historic record sources. According to the Phase I, a REC is “the presence or likely presence of any hazardous substances or petroleum products on a property: (1) due to a release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment. De minimis conditions are not recognized environmental conditions.” No conditions were observed on the Project site that would constitute an REC.

The Phase I also included a vapor encroachment screening test due to the Project site’s proximity to potential sources of volatile organic compounds (VOCs) from a former dry cleaning operation located 100 ft east of the Project site across Lewis Street at the southeast corner of Garden Grove Boulevard and Lewis Street, and underground fuel storage tanks located 525 ft northwest of the Project site. In addition, the Phase I identified the presence of a dry cleaning operation at the same property as the former service station at the southeast corner of Garden Grove Boulevard and Lewis Street and a potential former dry cleaning operation west of the site in the Cedar Grove Business Park. The goal of a vapor encroachment screen is to identify a vapor encroachment condition (VEC), which is the presence or likely presence of vapors of chemicals of concern in the subsurface of the Project site caused by the release of vapors from contaminated soil or groundwater either on or near the target property. Chemicals of concern meet specific criteria for volatility and toxicity and include volatile organic compounds, semivolatile organic compounds, petroleum hydrocarbons, and volatile inorganic analyses (e.g., mercury). The presence of VECs could not be ruled out because there are no known properties with releases of chemicals of concern, so no agency records of subsurface conditions exist. The Phase I concluded that subsurface testing of soil vapor at the Project site was required to determine if a VEC exists on the Project site and to determine if vapor barriers are required.

Following preparation of the Phase I, a Soil and Soil Vapor Sampling Report was prepared by Lexington Geoscience (May 2015a). The Soil and Soil Vapor Sampling Report provided the results of soil vapor sampling conducted at five locations on the Project site. Each of these five samples were taken at 5 ft bgs and were generally located at the southeast corner of the Project site in order to evaluate potential vapor migration from underground storage tanks at the former and present dry cleaning stations. The results of the soil gas samples at these five locations indicated that all VOC concentrations were below the reporting limit and were not detected at concentrations above the method detection limit established by the EPA. Because all VOC concentrations were reported as below the reporting limits, VOC concentrations were also determined to be below the California Human Health Screening Levels (CHHSL) for shallow soil gas at residential and commercial/industrial sites. Therefore, no further action or mitigation is required.

The Phase I also recommended that shallow soil sampling for pesticides and CCR Title 22 metals would be required due to activities associated with previous agricultural uses (orchards) on the Project site. As described above, a Soil and Soil Vapor Sampling Report was prepared by Lexington Geoscience (May 2015b) following preparation of the Phase I. Consistent with the recommendations in the Phase I, the Soil and Soil Vapor Sampling Report advanced eight soil borings to approximately 3 ft below ground surface (bgs) to perform a vapor screening investigation to assess the presence of agricultural chemicals on the site. Soil samples were also collected at depths of approximately 1 to 3 ft bgs. Results of the soil sampling at these locations detected the pesticides 4,4'-DDD, 4,4'-DDE, 4,4'-DDT, and Dieldrin at concentrations below those that would make the soil a regulated waste if removed from the site and below the CHHSL for residential sites. Metal concentrations were within normal background concentrations, with the exception of one sample which contained lead at a concentration of 97.2 milligrams per kilogram (mg/kg) or parts per million. This concentration of lead is below the concentration that would make the soil a regulated waste if removed from the site, but is above the CHHSL for residential sites. While the total lead concentration of 97.2 mg/kg is above the residential CHHSL, the on-site soil would not be considered hazardous and would require no special handling or disposal or agency. Typical grading requirements are for the removal, replacement, and compaction of on-site soils to a depth of 5 ft below the proposed finish grade. The process thoroughly mixes the soil being handled. Because the average lead concentration of the 16 samples collected is 17.7 mg/kg, which is below the residential CHHSL for lead, the relatively limited quantity of soil with a total lead concentration of 97.2 mg/kg would sufficiently mix and blend the soil and result in fill that would be close to the average concentration of lead and less than the residential CHHSL for lead. Therefore, the Soil and Soil Vapor Sampling Report concluded that grading operations associated with Project construction would mix and blend the soil associated with this concentration of lead, thereby reducing the overall site concentration to less than the CHHSL for residential sites and no further action or mitigation is required.

Construction. The proposed Project would include demolition of the existing on-site structures and the removal of existing foundations, asphalt, and concrete pavement. Lead is a toxic metal that was used for many years in household products. Lead may cause a range of health defects, from behavioral problems and learning disabilities to seizures and death. Lead-based paint (LBP) was used extensively in buildings constructed before 1950. In 1978, LBP was banned by the federal government. Based on the age of the buildings on the

Project site, prior to any construction activities or demolition, a general LBP survey of the proposed Project site would be required. As detailed in Mitigation Measure HAZ-1, the LBP survey shall be performed by appropriately licensed and qualified individuals, in accordance with applicable regulations (i.e., American Society for Testing and Materials (ASTM) E 1527-05, and 40 Code of Federal Regulations (CFR), Subchapter R, Toxic Substances Control Act [TSCA], Part 716).

Similarly, the use of asbestos in many building products was banned by the EPA by the late 1970s. In 1989, the EPA issued a ruling prohibiting the manufacturing, importation, processing, and distribution of most asbestos-containing products. This rule, known as the Ban and Phase-Out Rule, would have effectively banned the use of nearly 95 percent of all asbestos products used in the United States. However, the United States Fifth Circuit Court of Appeals vacated and remanded most of the Ban and Phase-Out Rule in October 1991. Due to this court decision, many asbestos-containing product categories not previously banned (prior to 1989) may still be in use today. Among these common material types found in buildings are floor tile and roofing materials. Asbestos-containing materials (ACMs) represent a concern when they are subject to damage that results in the release of fibers. Friable ACMs, which can be crumbled by hand pressure and are, therefore, susceptible to damage, are of particular concern. Nonfriable ACM is a potential concern if it is damaged by maintenance work, demolition, or other activities. Based on the age of the buildings on the Project site, prior to any construction activities or demolition, a general asbestos survey of the subject property would be required. As detailed in Mitigation Measure HAZ-1, the ACM survey shall be performed by appropriately licensed and qualified individuals, in accordance with applicable regulations (i.e., ASTM E 1527-05, and 40 CFR, Subchapter R, TSCA, Part 716).

Standard equipment suspected of potentially containing polychlorinated biphenyls (PCBs) include industrial-capacity transformers, fluorescent light ballasts, and oil-cooled machinery. An electrical transformer is located on the Project site midway along the south side of the Project site facing Garden Grove Boulevard. Electrical transformers are used as the final step in an electrical distribution system to reduce the voltage of electricity to a level that can be used by the consumer. Electrical transformers have been known to contain PCBs because PCBs were used as coolants and lubricants in transformers before the manufacturing of PCBs were banned by the EPA in 1977 because of evidence that PCBs accumulate in the environment and can cause harmful health effects.¹ Therefore, because of the presence of the transformer on site and due to the age of on-site buildings, a general PCB survey of the subject property would be required prior to any construction activities or demolition. As detailed in Mitigation Measure HAZ-1, this survey shall be performed by appropriately licensed and qualified individuals, in accordance with applicable regulations (i.e., ASTM E 1527-05, and 40 CFR, Subchapter R, TSCA, Part 716).

As detailed above, based on the age of the existing structures on the Project site, the presence of ACMs, LBPs, and PCBs cannot be ruled out without a more focused survey of all on-site structures and equipment. Because such materials generally do not pose a threat to human health until disturbed, focused surveys are required prior to demolition. The proposed Project

¹ United States Environmental Protection Agency, PCBs Questions & Answers. January 10, 2017. <https://www3.epa.gov/reg-ion9/pcbs/faq.html>

would be required to comply with Mitigation Measure HAZ-1. Mitigation Measure HAZ-1 is intended to address the potential for encountering ACMs, LBPs, and PCBs and requires predemolition surveys. Should ACMs, LBPs, or PCBs be discovered prior to demolition of the existing structure, precautions would be necessary to ensure the materials are properly removed and disposed of in accordance with State and federal law. With implementation of Mitigation Measure HAZ-1, possible impacts related to these chemicals would be less than significant.

In addition, in the event that unlikely unknown hazardous materials are discovered on site during Project construction, the Project contractor would be required to comply with a Contingency Plan developed and approved prior to the commencement of grading activities. As stated in Mitigation Measure HAZ-2, in the event that construction workers encounter underground tanks, gases, odors, uncontained spills, or other unidentified substances, the Contingency Plan will require the contractor to stop work, cordon off the affected area, and notify the Garden Grove Fire Department (GGFD). The GGFD responder shall determine the next steps regarding possible site evacuation, sampling, and disposal of the substance consistent with local, State, and federal regulations. In addition, Caltrans, the California Highway Patrol, and local police and fire departments are trained in emergency response procedures for safely responding to accidental spills of hazardous substances on public roads, further reducing potential impacts to a less than significant level. With implementation of Mitigation Measure HAZ-2, potential risks associated with encountering unknown hazardous wastes during construction would be reduced to a less than significant level.

With implementation of Mitigation Measures HAZ-1 and HAZ-2, construction of the proposed Project would not create a significant hazard to the public or to the environment through reasonable foreseeable upset and accident conditions regarding the release of hazardous materials into the environment.

Operation. As stated previously, hazardous substances associated with the proposed residential uses would be limited in both amount and use such that they can be contained (stored or confined within a specific area) without impacting the environment. Project operation would involve the use of potentially hazardous materials (e.g., solvents, cleaning agents, paints, fertilizers, and pesticides) typical of residential uses that, when used correctly and in compliance with existing laws and regulations, would not result in a significant hazard to residents or workers in the vicinity of the proposed Project. Operation of the proposed Project would not create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment. No mitigation is required.

Significance Determination: Potentially Significant Impact

Mitigation Measures:

HAZ-1 **Predemolition Surveys and Abatement of ACMs and LBPs.** Prior to commencement of demolition activities, the Director of the City of Garden Grove Community and Economic Development Department, or designee, shall verify that predemolition surveys for asbestos-containing materials

(ACMs), lead-based paints (LBPs), and polychlorinated biphenyls (PCBs) (including sampling and analysis of all suspected building materials) have been performed. All inspections, surveys, and analyses shall be performed by appropriately licensed and qualified individuals in accordance with applicable regulations (i.e., American Society for Testing and Materials (ASTM) E 1527-05, and 40 Code of Federal Regulations (CFR), Subchapter R, Toxic Substances Control Act [TSCA], Part 716).

Wherever evidence of ACMs, LBPs, and PCBs are present in areas proposed for demolition, all such materials shall be removed, handled, and properly disposed of by appropriately licensed contractors according to all applicable regulations during demolition of structures (40 CFR, Subchapter R, TSCA, Parts 745, 761, and 763). During demolition, air monitoring shall be completed by appropriately licensed and qualified individuals in accordance with applicable regulations both to ensure adherence to applicable regulations (e.g., South Coast Air Quality Management District [SCAQMD]) and to provide safety to workers and the adjacent community. The Project Applicant shall provide documentation (e.g., all required waste manifests, sampling, and air monitoring analytical results) to the City of Garden Grove Fire Department showing that abatement of any ACMs, LBPs, and PCBs identified in these structures has been completed in full compliance with all applicable regulations and approved by the appropriate regulatory agencies (40 CFR, Subchapter R, TSCA, Parts 716, 745, 761, 763, and 795 and California Code of Regulations [CCR] Title 8, Article 2.6). An Operating & Maintenance Plan (O&M) shall be prepared for any ACM-, LBP-, or PCB-containing fixtures to remain in place and shall be reviewed and approved by the City of Garden Grove Fire Department.

HAZ-2

Contingency Plan. Prior to commencement of grading activities, the Director of the County Environmental Health Division, or designee, shall review and approve a contingency plan that addresses the procedures to be followed should on-site unknown hazards or hazardous substances be encountered during demolition and construction activities. The plan shall indicate that if construction workers encounter underground tanks, gases, odors, uncontained spills, or other unidentified substances, the contractor shall stop work, cordon off the affected area, and notify the Garden Grove Fire Department (GGFD). The GGFD responder shall determine the next steps regarding possible site evacuation, sampling, and disposal of the substance consistent with local, State, and federal regulations.

Significance Determination after Mitigation: Less than Significant Impact

- (c) **Would the Project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?**

The proposed residential Project would not produce hazardous emissions or handle acutely

hazardous materials, substances, or waste. The nearest existing school, Riverdale Elementary School, is 0.23 mi southeast of the Project site. Although there is a school within 0.25 mi, there would be no acutely hazardous materials would be produced or handled on the Project site. As noted in Response 4.8.a, the proposed Project is not anticipated to release hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste in significant quantities. Construction activities associated with the proposed Project would use a limited amount of hazardous and flammable substances/oils¹ during heavy equipment operation for site excavation, grading, and construction. The amount of hazardous chemicals present during construction is limited and would be in compliance with existing government regulations. Residences would not require the use, storage, disposal, or transport of large volumes of hazardous materials that could cause serious environmental damage in the event of an accident. Although hazardous substances would be present and utilized at these residences, such substances are generally present now in the existing development, typically found in small quantities, and can be cleaned up without affecting the environment. Therefore, impacts related to hazardous emissions or handling of hazardous or acutely hazardous materials, substances, or waste within 0.25 mi of an existing or proposed school would be less than significant and no mitigation is required.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required

- (d) Would the Project 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?**

A Phase I was prepared for the proposed Project. According to the Phase I, the Project site is not included on any hazardous materials sites pursuant to Government Code Section 65962.5 and would not create a significant hazard to the public or the environment. No mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No mitigation is 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 for people residing or working in the project area?**

The proposed Project is not located within an airport land use plan or within 2 mi of a public airport or public use airport. The nearest public airports are the John Wayne International Airport at 3160 Airway Avenue, approximately 6.5 mi south of the Project site; the Fullerton Municipal Airport (FMA), a general aviation airport at 4011 West Commonwealth Avenue, approximately 7.9 mi north of the Project site; and Seal Beach Naval Base at 800 Seal Beach Boulevard, approximately 11 mi west of the Project site. As a result, the proposed Project

¹ Potentially hazardous and flammable materials that may be used during Project construction may include, but are not limited to, aerosols, fuels, oils, solvents (e.g., paints and coatings), and adhesives,

would not result in a safety hazard for people residing or working in the Project area. Therefore, no impacts are anticipated, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No mitigation is required

(f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

The proposed Project is not located within the vicinity of a private airstrip, and as a result, the proposed Project would not result in a safety hazard for people residing or working in the Project area. Therefore, no impacts are anticipated, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No mitigation is required

(g) Would the Project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Construction. During short-term construction activities, the proposed Project is not anticipated to result in any substantial traffic queuing along Lewis Street or Garden Grove Boulevard and all construction equipment would be staged on site. All large construction vehicles entering and exiting the site would be guided by the use of personnel using signs and flags to direct traffic.

The Project does not include any characteristics (e.g., permanent road closure or long-term blocking of road access) that would physically impair or otherwise interfere with emergency response or evacuation in the Project vicinity; however, the proposed Project would require temporary lane closures on Lewis Street to relocate the gas and water lines. Temporary lane closures would be implemented consistent with the recommendations of the California Joint Utility Traffic Control Manual. Among other things, the manual recommends early coordination with affected agencies to ensure that emergency vehicle access is maintained. In this manner, officials could plan and respond appropriately to direct the public away from Lewis Street in the event of an emergency requiring evacuation. In addition, as described in Mitigation Measure HAZ-3, the Project Applicant/Developer would be required to prepare and implement a Construction Staging and Traffic Management Plan, which would be subject to the approval of the Director of the City of Garden Grove Department of Public Works, or designee. The Construction Staging and Traffic Management Plan would require certain conditions (e.g., providing warning signs, lights, and devices) and would require that the City of Garden Grove Police Department be notified a minimum of 24 hours in advance of any lane closures or roadway work. With implementation of Mitigation Measure HAZ-3, potential impacts to emergency response and evacuation plans associated with construction of the proposed Project would be reduced to a less than significant level.

Operation. The proposed Project consists of residential uses and would not impair or physically interfere with an adopted emergency response plan. Roads that are used as response corridors and evacuation routes usually follow the most direct path to or from

various parts of the community. For the Project site, the main corridors would be Garden Grove Boulevard, Harbor Boulevard, Bristol Street, and SR-22. Access to and from the Project site would be from Lewis Street on the east side of the Project site.

The proposed Project would not physically interfere with an adopted emergency response plan or emergency evacuation plan. The proposed Project would be developed in accordance with City emergency access standards. The proposed Project would also be required to comply with all applicable codes and ordinances for emergency vehicle access, which would ensure adequate access to, from, and on site for emergency vehicles.

As discussed in Section 4.9, Hydrology and Water Quality, the streets around the Project site are subject to flooding during a storm event. Garden Grove Boulevard has the capacity to carry storm water generated from a 1-year storm event while leaving a 10 ft wide lane accessible near the median. The maximum estimated flooding on Garden Grove Boulevard during a storm event is anticipated to be approximately 0.8 ft with a velocity of 2 ft per second. The Project would decrease storm water flows to Garden Grove Boulevard and would not exacerbate existing flooding. Emergency vehicles have enough height clearance that they would not be obstructed by the flooding along Garden Grove Boulevard. Additionally, the emergency vehicle access entrance to the Project site would be at a high point; therefore, storm water flows near the entrance would be minimal and would not obstruct emergency vehicle access. Therefore, emergency vehicles would still be able to access the Project site via the emergency vehicle access along Garden Grove Boulevard during a storm event.

As discussed in Section 4.16, Transportation/Traffic, the proposed Project would not result in a significant traffic impact to any study area intersections. Therefore, the proposed Project would not result in long-term traffic impacts that could physically interfere with an adopted emergency response plan or emergency evacuation plan. In addition, during the operational phase of the proposed Project, on-site access would be required to comply with standards established by the City and GGFD. The size and location of fire suppression facilities (e.g., hydrants) and fire access routes would be required to conform to City and GGFD standards. The proposed Project would provide adequate emergency access via the driveway along Lewis Street. Also, in addition to the existing fire hydrants on Lewis Street and Garden Grove Boulevard, the proposed Project includes the installation of three fire hydrants on the Project site, as well as sufficient space and turning radius for fire trucks. As required of all development in the City, the operation of the residential portion of the proposed Project would conform to applicable Uniform Fire Code standards. In addition, a remote gate-opening device consistent with OCFA requirements would be installed on both electronically operated access gates.

Therefore, operation of the proposed Project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Potential Project impacts would be less than significant, and no mitigation would be required.

Significance Determination: Potentially Significant

Mitigation Measures:

- HAZ-3 Construction Staging and Traffic Management Plan.** Prior to issuance of a grading permit, a Construction Staging and Traffic Management Plan shall be prepared for approval by the Director of the City of Garden Grove Public Works Department, or designee. The Construction Staging and Traffic Management Plan ~~shall~~ will also include the name and phone number of a contact person who can be reached 24 hours a day regarding construction traffic complaints or emergency situations. The Construction Staging and Traffic Management Plan ~~shall~~ may include, but not be limited to, the following:
- Temporary lane closures shall be implemented consistent with the recommendations of the California Joint Utility Traffic Control Manual;
 - Flag persons in adequate numbers shall be provided to minimize impacts to traffic flow and to ensure safe access into and out of the site;
 - Flag persons shall be trained to assist in emergency response by restricting or controlling the movement of traffic that could interfere with emergency vehicle access;
 - All emergency access to the Project site and adjacent areas shall be kept clear and unobstructed during all phases of demolition and construction;
 - Providing safety precautions for pedestrians and bicyclists through such measures as alternate routing and protection barriers;
 - Scheduling construction-related deliveries, other than concrete and earthwork-related deliveries, so as to reduce travel during peak travel periods (i.e., 6:00 a.m. to 9:00 a.m. and 3:30 p.m. to 7:00 p.m. Monday through Friday);
 - Coordination with other construction projects in the vicinity to minimize conflicts;
 - If necessary, obtaining a Caltrans transportation permit for use of oversized transport vehicles on Caltrans facilities;
 - If necessary, submitting a traffic management plan to Caltrans for review and approval;
 - Construction vehicles, including construction personnel vehicles, shall not park on public streets, including streets outside the City of Garden Grove;
 - Construction vehicles shall not stage or queue where they interfere with pedestrian and vehicular traffic or block access to nearby businesses;

- If feasible, any traffic lane closures will be limited to off-peak traffic periods, as approved by the City of Garden Grove Department of Public Works; and
- The Orange County Transportation Authority shall be notified a minimum of 24 hours in advance of any lane closures or other roadway work.
- The Garden Grove Police Department shall be notified a minimum of 24 hours in advance of any lane closures or other roadway work.

Level of Significance after Mitigation: Less than Significant

(h) Would the Project expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

The area surrounding the Project site is considered urban and built out. The Project site is bound by commercial, residential, and community facility uses on all sides and is not adjacent to wildland areas. As a result, the proposed Project would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires. Therefore, no impacts are anticipated, and no mitigation measures would be required.

Significance Determination: No Impact

Mitigation Measures: No mitigation is required

4.9 HYDROLOGY AND WATER QUALITY

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) 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 (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<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, in a manner which would result in a substantial erosion or siltation on- or off-site.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(d) 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 above pre-development condition in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(j) Cause inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The thresholds provided for Hydrology and Water Quality are based on Appendix G of the CEQA Guidelines. The checklist responses also provide information relevant to obtaining coverage under the applicable Regional Water Quality Control Board (RWQCB) and State Water Resources Control Board permits discussed in this section. The discussion and analysis provided in this section is based on the *Preliminary Water Quality Management Plan* and the *Preliminary Hydrology Report* prepared by Fuscoe Engineering, Inc. (2016a and 2016b) (refer to Appendix E of this IS/MND), and the *Preliminary Geotechnical Investigation for St. Callistus Church, City of Garden Grove, California* (Geotechnical Investigation) prepared by Alta California Geotechnical, Inc. (May 2015; Appendix C).

Impact Analysis:

(a) **Would the Project violate any water quality standards or waste discharge requirements?**

Pollutants of concern during construction of the proposed Project include sediments, trash, petroleum products, concrete waste (dry and wet), sanitary waste, and chemicals. Each of these pollutants on its own or in combination with other pollutants can have a detrimental effect on water quality. During construction activities, excavated soil would be exposed, and there would be an increased potential for soil erosion and sedimentation compared to existing conditions. In addition, chemicals, liquid products, petroleum products (e.g., paints, solvents, and fuels), and concrete-related waste may be spilled or leaked and, potentially, transported via storm water runoff into receiving waters. Construction of the proposed Project would disturb approximately 9 acres of soil. Because the disturbed soil area would exceed 1 acre, the proposed Project is subject to the requirements of the State Water Resources Control Board's National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Order No. 2009-0009-DWQ, NPDES No. CAS000002, as amended by Orders No. 2010-0014-DWQ and 2012-0006-DWQ) (Construction General Permit).

As specified in Mitigation Measure WQ-1, the proposed Project would obtain coverage under the Construction General Permit. The Construction General Permit requires preparation of a SWPPP and implementation of construction BMPs detailed in the SWPPP during construction activities. Construction BMPs would include, but not be limited to, Erosion Control and Sediment Control BMPs designed to minimize erosion by stabilizing the soil and retain sediment on site by trapping soil particles in storm water; and Good Housekeeping BMPs, which include maintenance practices and proper handling, storage, and disposal of materials to prevent spills, leaks, and discharge of construction debris and waste into receiving waters.

The expected pollutants of concern during operation of the proposed Project include suspended solids/sediment, nutrients, pathogens (bacteria and virus), pesticides, oil and grease, and trash and debris. According to the *Preliminary Water Quality Management Plan* (Fusco Engineering, Inc., 2016a) prepared for the Project, the proposed Project would reduce impervious surface area from 6.14 acres to 5.61 acres (a reduction of 0.53 acres) on the 8.77-acre Project site. The reduction in impervious surface area would decrease runoff from the Project site and would, therefore, reduce pollutant loading to downstream receiving waters.

The *Preliminary Water Quality Management Plan* details the Site Design, Source Control, and LID BMPs that would be implemented to target pollutants of concern in runoff from the Project site to reduce impacts to water quality during Project operations. The LID BMPs (pervious pavement) would capture and infiltrate approximately 80 percent of the average annual storm water runoff from the Project site, consistent with the requirements of the current fourth-term North Orange County Municipal Separate Storm Sewer System (MS4) Permit and Technical Guidance Document. The LID BMPs are anticipated to meet the requirements of the next North Orange County MS4 Permit, which is expected to require that

retention BMPs (which include infiltration BMPs) be selected for implementation before other types of BMPs unless substantial evidence is provided to support technical infeasibility. It is not anticipated that additional on-site detention would be necessary in order to satisfy the requirements of the subsequent North Orange County MS4 Permit.

The proposed Site Design BMPs include minimizing impervious surfaces, maximizing natural infiltration capacity, preserving existing drainage patterns and time of concentration, disconnecting impervious areas, protecting existing vegetation and sensitive areas and revegetating disturbed areas, and xeriscape landscaping. The nonstructural Source Control BMPs for the proposed Project include education for property owners, tenants, and occupants on pollutant prevention; activity restrictions on activities including handling and disposal of contaminants, fertilizer and pesticide application, and on-site vehicle or equipment repair and maintenance; common area landscape management, which entails reducing the potential pollutant sources of fertilizer and pesticide uses, use of water-efficient landscaping practices, and proper disposal of landscape wastes; BMP maintenance; common area litter control; employee training on maintenance activities that may impact water quality, spill cleanup procedures, proper waste disposal, and housekeeping practices; and street sweeping private streets and parking lots. Structural Source Control BMPs include the use efficient irrigation systems and landscape design, water conservation, smart controllers, and source control. Proposed LID BMPs include hydrologic source controls (impervious area dispersion and impervious area reduction) and infiltration BMPs (permeable concrete pavers).

Permeable pavers would capture and infiltrate low flows to allow for treatment by the soil. Permeable pavers provide a surface suitable for light loads and parking areas in which water can drain through pore spaces to an underlying rock reservoir. The subsurface base allows for physical and microbial filtering processes to take place which remove pollutants (e.g., as particulates, organics, hydrocarbons, and total suspended sediments), including attached heavy metals. Paver sections would be approximately 12 to 14 inches in depth with an infiltration rate of 0.6 inches per hour. The drawdown time for pavers would be less than 48 hours and would allow high flows to bypass the permeable pavers and flow into the downstream storm drain system.

As specified in Mitigation Measure WQ-2, a Final WQMP will be prepared based on the final plans and submitted to the City for review and approval. The Final WQMP will include an Operations and Maintenance Plan which will specify the inspection frequency and maintenance requirements for the BMPs. The homeowners association (HOA) of the community will be responsible for ongoing maintenance of all BMPs. Mitigation Measure WQ-3 requires that the Project Applicant provide proof to the City that all structural BMPs described in the Final WQMP have been constructed and installed in conformance with approved plans and specifications. The Project Applicant must also demonstrate to the City that all nonstructural BMPs described in the Project WQMP will be implemented. As specified in Mitigation Measure WQ-4, the responsibility of BMP maintenance will be transferred to any new HOA that assumes management responsibility of the community.

With implementation and maintenance of construction and post-construction BMPs that target pollutants of concern in storm water runoff, as specified in Mitigation Measures WQ-1

through WQ-4, Project impacts related to waste discharge requirement and water quality standards would be reduced to a less than significant level.

Significance Determination: Potentially Significant Impact

Mitigation Measures:

WQ-1 Construction General Permit. Prior to issuance of a grading permit, the Project Applicant shall obtain coverage under the State Water Resources Control Board National Pollutant Discharge Elimination System General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Order No. 2009-0009-DWQ, as amended by 2010-0014-DWG and 2012-0006-DWQ, National Pollutant Discharge Elimination System No. CAS000002) (Construction General Permit). This shall include submission of Permit Registration Documents (PRDs), including a Notice of Intent (NOI) for coverage under the permit to the State Water Resources Control Board (SWRCB) via the Storm water Multiple Application and Report Tracking System (SMARTS). Construction activities shall not commence until a Waste Discharge Identification Number (WDID) is obtained from SMARTS. Prior to commencement of construction activities, the Project Applicant shall provide the WDID to the Director of the City of Garden Grove Public Works Department, or designee, to demonstrate proof of coverage under the Construction General Permit. A Storm Water Pollution Prevention Plan (SWPPP) shall be prepared and implemented for the proposed Project in compliance with the requirements of the Construction General Permit. The SWPPP shall identify construction Best Management Practices (BMPs), such as Erosion Control, Sediment Control, and Good Housekeeping BMPs, to be implemented to ensure that the potential for soil erosion and sedimentation is minimized and to control the discharge of pollutants in storm water runoff as a result of construction activities. Upon completion of construction activities and stabilization of the Project site, a Notice of Termination (NOT) shall be submitted via SMARTS to terminate coverage under the Construction General Permit.

WQ-2 Final Water Quality Management Plan. Prior to the issuance of any grading or building permits, the Project Applicant shall submit a Final Water Quality Management Plan (WQMP) to the Director of the City of Garden Grove Public Works Department, or designee, for review and approval. The Final WQMP shall be prepared consistent with the Orange County Municipal Separate Storm Sewer System (MS4) Permit, Drainage Area Management Plan (DAMP), Model WQMP, and Technical Guidance Document. The Final WQMP shall specify BMPs to be incorporated into the design of the proposed Project. The BMPs shall include Site Design, Source Control, and Low Impact (LID) BMPs that target pollutants of concern in storm water runoff. The WQMP shall:

- Address Site Design BMPs based on the geotechnical report recommendations and findings for conformance with the required regime of structural BMPs, as outlined in the latest technical guidance document (TGD), such as infiltration, minimizing impervious areas, maximizing permeability, minimizing directly connected impervious areas, creating reduced or “zero discharge” areas, and conserving natural areas
- Incorporate the applicable Routine Source Control BMPs as defined in the Drainage Area Management Plan (DAMP)
- Incorporate structural and Treatment Control BMPs as defined in the DAMP
- Generally describe the long-term operation and maintenance requirements for the Treatment Control BMPs
- Identify the entity that will be responsible for long-term operation and maintenance of the Treatment Control BMPs.

WQ-3

BMP Implementation, Operation, and Maintenance. Prior to building permit closeout, the Director of the City of Garden Grove Public Works Department, or designee, shall verify that the Project Applicant has:

- Demonstrated that all structural BMPs described in the Final WQMP have been constructed and installed in conformance with approved plans and specifications
- Demonstrated that the Project Applicant is prepared to implement all nonstructural BMPs described in the Final WQMP by detailing the activity restrictions, BMP maintenance activities, pollution prevention education, and employee training in the Final WQMP.
- Demonstrated that at least one copy of the approved Final WQMP are available on the Project site
- Submitted an Operations and Maintenance (O&M) Plan for all structural BMPs to the Director of the City of Garden Grove Community and Economic Development Department, or designee, for review and approval. The O&M Plan shall include the following requirements:
 - The HOA shall verify BMP implementation and ongoing maintenance through inspection, self-certification, survey, or other equally effective measure. The certification shall verify that, at a minimum, the inspection and maintenance of all structural BMPs including inspection and performance of any required maintenance in the late summer / early fall, prior to the start of the rainy season.
 - The HOA shall retain operations, inspections, and maintenance records of the BMPs and shall make the records available to the City or County upon request.

- All inspection and maintenance records shall be maintained for at least 5 years after the recorded inspection date for the lifetime of the Project.
- Long-term funding for BMP maintenance shall be funded through fees paid into the HOA. Shea Homes, which will set up the HOA, shall oversee that adequate funding for BMP maintenance is included within the HOA fee structure, including annual maintenance fees and long-term maintenance reserve funds.
- Revisions to the HOA's Covenants, Conditions, and Restrictions (CC&Rs) related to the WQMP and BMPs shall be prohibited except with the review and approval of the Director of the City of Garden Grove Public Works Department, or designee.
- Filed a record of the O&M Plan with the County Recorder's office
- Provided notice by recordation of the Final WQMP with the County Recorder's office prior to sale of the property to notify all future owners that the Final WQMP is bound in perpetuity to the property.
- Coordinate maintenance and other responsibilities with the Project CC&Rs.

WQ-4

Transfer of WQMP Implementation Responsibility: Should the maintenance responsibility be transferred at any time during the operational life of the proposed Project, such as when a homeowners association (HOA) is formed for the community or a new HOA assumes management of the community, a formal notice of transfer shall be submitted to the City of Garden Grove Public Works Department, or designee at the time responsibility of the property subject to the Final WQMP is transferred. The transfer of responsibility shall be incorporated into the Final WQMP as an amendment. CC&Rs shall include the WQMP by reference and preclude revisions to the WQMP except as approved by the City.

Significance Determination after Mitigation: Less than Significant Impact

- (b) **Would the Project 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 (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?**

During the subsurface investigation conducted as part of the *Preliminary Geotechnical Investigation* (Alta California Geotechnical, Inc. 2015), groundwater was encountered at a depth of 38 ft bgs. Historic groundwater levels are reported at 30 ft bgs. Excavation for the proposed Project would extend to a depth of 5 ft bgs. Therefore, groundwater would not be encountered during construction and groundwater dewatering would not be required.

The proposed Project would decrease impervious area on the Project site by 0.53 acres. The decrease in impervious area and implementation of pervious pavers would increase on-site infiltration. In addition, the proposed Project does not include the installation of on-site drinking water wells and would, therefore, not require groundwater extraction during operation. Therefore, the proposed Project would not substantially deplete groundwater supplies or interfere with groundwater recharge. Therefore, impacts to groundwater would be less than significant and no mitigation is required.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required

- (c) **Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in a substantial erosion or siltation on- or off-site?**

During construction of the proposed Project, soil would be exposed and disturbed, drainage patterns would be temporarily altered during grading and other construction activities, and there would be increased potential for soil erosion and siltation compared to existing conditions. During storm events, erosion and siltation could occur at an accelerated rate. As discussed in Response 4.9.a and specified in Mitigation Measure WQ-1, the Construction General Permit requires preparation of a SWPPP to identify construction BMPs to be implemented as part of the proposed Project to reduce impacts to water quality during construction, including those impacts associated with soil erosion and siltation. With implementation of the construction BMPs as specified in Mitigation Measure WQ-1, construction impacts related to on- or off-site erosion or siltation would be reduced to a less than significant level.

According to the *Preliminary Hydrology Report* (Fusco Engineering, 2016b), no existing storm drain systems are located on the Project site. Storm water runoff flows in a southerly direction on the Project site via surface flow toward Garden Grove Boulevard. Runoff then flows west along Garden Grove Boulevard, crosses Garden Grove Boulevard in a cross gutter, then flows south down Fairview Street, west on Downie Place, south on Stephens Avenue, west behind the homes along Bolivar Circle, then south to Ranchero Way. Storm water enters a grate inlet at Ranchero Way where it enters the storm drain system. The storm drain system connects to the East Garden Grove-Wintersburg Channel, which eventually discharges into the Pacific Ocean.

The proposed development would not change the general drainage pattern on the Project site or the downstream area. Storm water runoff would continue to drain south on the Project site and then flow east along Garden Grove Boulevard until it eventually enters the storm drain system. On-site runoff would flow from the residential buildings toward the on-site streets and into the pervious pavers along the parallel parking aisle along the streets. Low flows would flow within the pervious pavers where the flow would infiltrate into the soil. Higher flows would sheet flow over the streets or would flow along the curb before entering one of two culverts in the southwest corner of the Project site. High flows would continue to flow in a westerly direction along Garden Grove Boulevard and from there along the same path as

existing conditions, eventually discharging to the East Garden Grove-Wintersburg Channel and finally into the Pacific Ocean.

In the proposed condition, 5.61 acres of the site would be impervious surface areas and would not be prone to erosion or siltation. The remaining portion of the site (3.16 acres) would primarily be landscaping, which would minimize on-site erosion and siltation. The proposed Project would decrease the impervious surface area on the Project site by 0.53 acres compared to existing conditions, which would reduce peak flow rate from the Project site by 0.74 cfs for a 25-year storm event. As such, the Project would contribute to less runoff to Garden Grove Boulevard during storm events. Therefore, because the Project would not increase the volume of runoff from the Project site, the proposed Project would not contribute to additional downstream erosion or siltation. Finally, the proposed Project would not alter the course of a stream or river. As such, operational impacts related to on-site or off-site erosion or siltation would be less than significant. Therefore, with implementation of Mitigation Measure WQ-1, construction and operational impacts related to alteration of the existing drainage pattern of the site in a manner that would result in substantial erosion or siltation on or off site would be less than significant.

Significance Determination: Potentially Significant Impact

Mitigation Measures: Refer to Mitigation Measure WQ-1 in Response 4.9.a

Significance Determination after Mitigation: Less than Significant Impact

- (d) **Would the Project 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 above pre-development condition in a manner which would result in flooding on- or off-site?**

During construction activities, soil would be compacted and drainage patterns would be temporarily altered during grading and other construction activities, and there would be an increased potential for flooding compared to existing conditions. As discussed in Response 4.9.a and specified in Mitigation Measure WQ-1, the Construction General Permit requires preparation of a SWPPP to identify construction BMPs to be implemented as part of the proposed Project to reduce impacts to water quality during construction, including those impacts associated with flooding. With implementation of the construction BMPs as specified in Mitigation Measure WQ-1, construction impacts related to on- or off-site flooding would be reduced to a less than significant level.

As discussed in Response 4.9.c, the proposed Project would not alter the existing on-site drainage patterns or increase the volume of runoff from the Project site compared to existing conditions. As discussed previously, the proposed Project would reduce the peak flow rate from the Project site by 0.74 cfs for a 25-year storm event. Therefore, the Project would not exceed the capacity of the downstream storm drain lines or result in off-site flooding. In addition, the proposed BMPs and on-site storm water facilities would be sized to accommodate and convey storm water runoff so that on-site flooding would not occur. Finally, the proposed Project would not alter the course of a stream or river. As such,

operational impacts related to on-site or off-site flooding would be less than significant. Therefore, with implementation of Mitigation Measure WQ-1, construction and operation impacts related to alteration of the existing drainage patterns in a manner that would substantially increase the rate or amount of surface runoff or result in flooding on or off site would be reduced to less than significant with implementation of Mitigation Measure WQ-1.

Significance Determination: Potentially Significant Impact

Mitigation Measures: Refer to Mitigation Measure WQ-1 in Response 4.9.a

Significance Determination after Mitigation: Less than Significant Impact

- (e) **Would the Project create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?**

As discussed previously, storm water discharged from the Project site flows to Garden Grove Boulevard, where it then flows west along Garden Grove Boulevard until it enters the storm drain system and is discharged into the East Garden Grove-Wintersburg Channel. The proposed Project would reduce impervious surface area on the Project site by 0.53 acres which would reduce runoff from the Project site by 0.74 cfs during a 25-year storm event compared to the existing condition. Therefore, because the Project would decrease the volume of runoff from the Project site, the Project would not create or contribute additional runoff water to the downstream storm drain system that would exceed the capacity of the downstream storm drain system or the East Garden Grove-Wintersburg Channel.

As discussed previously, construction of the proposed Project has the potential to introduce pollutants to the storm drainage system from erosion, siltation, and accidental spills. However, as specified in Mitigation Measure WQ-1, the Construction General Permit requires preparation of a SWPPP to identify construction BMPs to be implemented during Project construction to reduce impacts to water quality, including those impacts associated with soil erosion, siltation, and spills. During operation, the proposed Project would reduce the peak flow of runoff and pollutant loading from the Project site compared to existing conditions. In addition, the proposed Project includes implementation and maintenance of Site Design, Source Control, and LID BMPs to target and reduce pollutants of concern in runoff from the Project site during operation, as specified in Mitigation Measures WQ-2 through WQ-4. With implementation of construction and operational BMPs, the proposed Project would not provide substantial additional sources of polluted runoff to the storm drain system. Therefore, with implementation of Mitigation Measures WQ-1 through WQ-4, impacts related to the creation or contribution of runoff water which would exceed the capacity of existing or planned storm water drainage systems or the provision of substantial additional sources of polluted runoff would reduce to a less than significant level.

Significance Determination: Potentially Significant Impact

Mitigation Measures: Refer to Mitigation Measures WQ-1 through WQ-4 in Response 4.9.a

Significance Determination after Mitigation: Less than Significant Impact

(f) Would the Project otherwise substantially degrade water quality?

Refer to Response 4.9.a. The proposed Project would not result in impacts beyond those discussed in Response 4.9.a.

Significance Determination: Potentially Significant Impact

Mitigation Measures: Refer to Mitigation Measures WQ-1 through WQ-4 in Response 4.9.a

Significance Determination after Mitigation: Less than Significant Impact

(g) Would the Project place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) (Map No. 06059C0144J; December 3, 2009), the proposed Project is not located in a 100-year special flood hazard area.¹ According to the FEMA FIRM, the Project site is located in Zone X (dotted), an area protected by levees from a 1 percent annual chance of flood (100-year flood). Zone X (dotted) is designated by FEMA as an Other Flood Area, which is not considered a Special Flood Hazard Area. Impacts related to failure of a levee are discussed in Response 4.9.i. Therefore, because the Project is not located within a special flood hazard area as designated by FEMA, the proposed Project would not place housing within a 100-year special flood hazard area. Therefore, no impacts related to placement of housing in a floodplain would occur and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No mitigation is required

(h) Would the Project place within a 100-year flood hazard area structures which would impede or redirect flood flows?

As stated in Response 4.9.g, the Project site is located in Zone X (dotted), an area protected by levees from a 1 percent annual chance of flood (100-year flood). Zone X (dotted) is designated by FEMA as an Other Flood Area and is not considered a Special Flood Hazard Area. Impacts related to failure of a levee are discussed in Response 4.9.i. Because the Project is not located in a special flood hazard area as designated by FEMA, the proposed Project would not place structures within a 100-year flood hazard area that would impede or redirect flood flows. Therefore, no impacts related to placement of structures in a 100-year floodplain would occur and no mitigation is required.

¹ Land areas that are at high risk for flooding are called Special Flood Hazard Areas (SFHAs), or floodplains. These areas are indicated on Flood Insurance Rate Maps (FIRMs). The 100-year flood is referred to as the 1 percent annual exceedance probability flood, because it is a flood that has a 1 percent chance of being equaled or exceeded in any single year.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required

- (i) **Would the Project expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?**

According to the Safety Element of the County of Orange *General Plan* (page IX-68), the Project site is located in the Prado Dam flood inundation zone. Prado Dam is a dam along the Santa Ana River in the Chino Hills near the City of Corona in Riverside County. According to the FEMA FIRM, the Project site is protected from the 100-year storm by levees along the Santa Ana River. Therefore, the proposed Project would place housing within an inundation zone, which would pose a risk to the occupants on the Project site in the event that Prado Dam or the Santa Ana levees were to fail.

Prado Dam and the Santa Ana River levees are maintained and inspected to ensure their integrity and to ensure that risks are minimized. In addition, construction of the Santa Ana River Mainstem Project was initiated in 1989 and is scheduled for completion in 2020. The Santa Ana River Mainstem Project will increase levels of flood protection to more than 3.35 million people within Orange, San Bernardino, and Riverside Counties. Improvements to 23 mi of the Lower Santa Ana River channel, from Prado Dam to the Pacific Ocean, are 95 percent complete and are anticipated to be completed by the end of 2016. Improvements to the Santa Ana River channel include construction of new levees and dikes. In addition, the Santa Ana River Mainstem Project includes improvements to Prado Dam, which are currently underway and are estimated to be completed in 2020. Improvements to Prado Dam include raising the spillway crest and increasing reservoir area by approximately 400 acres (Orange County Flood Division 2015).

Although the Project would include construction of a residential community within dam and levee inundation zones, the proposed Project would not increase the chance of inundation from failure of Prado Dam or the Santa Ana River levees. Therefore, Project impacts from exposure of people or structures to loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam, would be less than significant. No mitigation is required.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required

- (j) **Would the Project cause inundation by seiche, tsunami, or mudflow?**

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. No unenclosed water retention facilities are in close proximity to the Project site. In addition, the *Garden Grove General Plan* (2008) does not identify any reservoirs with seiching potential within the City limits. The risk associated with possible seiche waves is, therefore, not considered to be a potentially significant impact of the Project, and no mitigation is necessary.

Tsunamis are 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 Project site is approximately 10 mi from the ocean shoreline and, according to the Tsunami Inundation Map for Emergency Planning (California Emergency Management Agency, California Geological Survey, and University of Southern California, 2009), is not in a tsunami inundation area. The risk associated with tsunamis is, therefore, not considered a potential hazard or a potentially significant impact, and no mitigation is required.

Mudslides and slumps are described as a shallower type of slope failure usually affecting the upper soil mantle or weathered bedrock underlying natural slopes and triggered by surface or shallow subsurface saturation. The Project site is located in coastal lowlands on relatively flat topography. According to the *Preliminary Geotechnical Investigation* prepared for the proposed Project, no historic landslides exist on or near the Project site and hazards associated with landslides are not anticipated on the Project site. The risk associated with possible mudflows and mudslides is, therefore, not considered a potential constraint or a potentially significant impact of the proposed Project, and no mitigation is necessary.

Significance Determination: No Impact

Mitigation Measures: No mitigation is required

4.10 LAND USE/PLANNING*Would the project:*

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, planned community, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Impact Analysis:**(a) Would the Project physically divide an established community?**

The Project site (Assessor's Parcel Nos. 231-041-26, 231-041-27, 231-041-28, and 231-255-01) consists of four parcels that, when combined, are approximately 0.901 acres in size. The Project site is bounded by Garden Grove Boulevard to the south, Lewis Street to the east, light industrial uses to the west with SR-22 beyond, and medium-density residential housing along El Prado Avenue to the north with SR-22 beyond.

Low-density residential and light commercial uses are located to the south and southwest along Garden Grove Boulevard. Other local uses include heavy commercial uses to the west and a variety of medium-density residential (Community Garden Towers) and general commercial uses to the east across Lewis Street.

The proposed Project involves the demolition of an existing church and private school and the construction of 70 single family residential units. Vehicular access to the proposed Project would be provided via a gated driveway on Lewis Street which would align with El Rancho Avenue (on the east side of Lewis Street).

The proposed Project would require the reorganization of jurisdictional lines to incorporate approximately 0.901 acre from the City of Orange into the City of Garden Grove. The reorganization would adjust the boundary between the City of Garden Grove and the City of Orange to the centerline of Lewis Street. As shown on Figure 2.8, Area of Reorganization, the boundary between the City of Garden Grove and the City of Orange would follow the centerline of Lewis Street north to the centerline of El Prado Avenue. The area and property to be readjusted include right-of-way associated with South Lewis Street and open space, respectively. The adjusted boundary would rejoin the existing boundary between the two cities (just north of the triangular section of undeveloped land created by the rerouting of Lewis Street as a result of the construction of SR-22).

The demolition of existing buildings on the site, access improvements, and the parcel readjustments included as part of the Project would not result in the physical division of an established community, including the residential communities north, east, and south of the

site. Therefore, the implementation of the proposed Project would not result in the physical division of any established community, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No Mitigation Required

(b) Would the Project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, planned community, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

The Project site is within the City of Garden Grove and the City of Orange. As discussed previously, the proposed Project includes the reorganization of jurisdictional lines to incorporate 0.901 acre from the City of Orange into the City of Garden Grove. The main documents guiding development and regulating land uses in the City of Garden Grove are the City's General Plan and Zoning Ordinance. The Project site is designated Civic/Institutional in the General Plan and is zoned R-1-6, Single Family Residential, on the City's Zoning Map.

General Plan. The Garden Grove General Plan (2008) is the City's most fundamental planning document. The General Plan is a comprehensive plan intended to guide the physical development of the City and serves as a blueprint for future growth and development. As a blueprint for the future, the plan contains policies and programs designed to provide decision-makers with a solid basis for decisions related to land use and development.

As noted previously, the proposed Project includes a General Plan Amendment to modify the land use designation of the Project site from Civic/Institutional to Low Density Residential. Low Density Residential land use designation allows for the development of living accommodations, including single-family dwelling units. The Project site currently has no residential units. Following Project implementation, the Project site would have a net density of 7.8 dwelling units per acre, which is within the range allowed by the City's General Plan Low Density Residential land use designation.

Table 4.10.A provides a consistency analysis of the relevant goals and policies from the City's General Plan. In order to eliminate repetitive policies and focus on key issues, policies that are not relevant to the proposed Project are not included in Table 4.10.A. As stated in Table 4.10.A, the proposed Project would be consistent with applicable General Plan policies and no mitigation is required.

Zoning Ordinance. The City's Zoning Ordinance is the primary implementation tool for its General Plan Land Use Element and the goals and policies contained therein. For this reason, the Zoning Map must be consistent with the General Plan Land Use Map. The Land Use Map indicates the general location and extent of future land use in the City. The Zoning Ordinance, which includes the Zoning Map, contains more detailed information about permitted land uses, building intensities, and required development standards.

Table 4.10.A: General Plan Consistency Analysis

Select General Plan Policies	Consistency Analysis
Land Use Element	
Policy LU-1.1: Identify appropriate locations for residential and non-residential development to accommodate growth through the year 2030 on the General Plan Land Use Diagram (Exhibit LU-3).	Consistent. The proposed Project includes a General Plan Amendment request to modify the land use designation of the Project site from Civic/Institutional to Low Density Residential. The development would be located in an area zoned for residential development (R-1.6) near other residential areas located to the north, south, and east. The proposed Project would provide 70 single-family residential uses. Therefore, the proposed Project would assist with the accommodation of future growth in the City and would be consistent with Policy LU-1.1.
Policy LU-1.9: Designate areas for urban land uses where adequate levels of public facilities and services exist or are planned.	Consistent. As discussed further in Section 4.14, Public Services, and 4.17, Utilities, the proposed Project would be located in an area with adequate levels of public services (e.g., fire, police, water, and wastewater). Project impacts to utilities and other public services would be less than significant. Therefore, the proposed Project would be consistent with Policy LU-1.9.
Goal LU-2: Stable, well-maintained residential neighborhoods in Garden Grove.	Consistent. The proposed Project includes the development of 70 single-family residential units in a gated neighborhood. The neighborhood would be managed by a homeowners association (HOA) that would enforce CC&Rs to ensure that common areas within the community are maintained. Management by an HOA would help ensure that the neighborhood created by the Project would be a well maintained neighborhood. Therefore, the Project would be consistent with Goal LU-2.
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.	Consistent. The proposed Project includes the development of 70 single-family residential units in a gated neighborhood. These homes would contribute to the diversity of housing options in the City. Therefore, the proposed Project would be consistent with Policy LU-2.2.
Policy LU-2.3: Prohibit uses that lead to deterioration of residential neighborhoods, or adversely impact the safety or the residential character of a residential neighborhood.	Consistent. The proposed Project includes the development of 70 single-family residential units in a gated neighborhood. The proposed Project would not modify the existing street network or introduce uses incompatible with existing residential uses to the north, east, or south. Therefore, the proposed Project would be consistent with Policy LU-2.3.
Policy LU-2.4: Assure that the type and intensity of land use shall be consistent with that of the immediate neighborhood.	Consistent. The development would be located in an area zoned for residential development (R-1.6) near other residential areas located to the north, south, and east. Therefore, the proposed Project would be consistent with General Plan Policy LU-2.4.
Policy LU-2.6: Ensure that every neighborhood has a unique community image that is incorporated and reflected in public facilities, streetscapes, signage, and entryways proposed for each neighborhood.	Consistent. The proposed Project is designed incorporating Santa Barbara, Andalusian, Monterey, and Formal Spanish styles. These styles include the use of specific design choices to create a unified and unique neighborhood. Therefore, the community has a unique image reflected in all aspects of the Project. Therefore, the

Table 4.10.A: General Plan Consistency Analysis

Select General Plan Policies	Consistency Analysis
	proposed Project would be consistent with General Plan Policy LU-2.6.
Policy LU-4.2: Ensure that infill development is well-planned and allows for increased density in Focus Areas along established transportation corridors.	Consistent. The proposed Project is a planned development that would introduce housing to the Project site. The Project is being built along Garden Grove Boulevard, which is a main transportation corridor in the City of Garden Grove. The Project would be considered in-fill development because the Project site is surrounded on all sides by existing development and would replace an existing use on the Project site. Further, the proposed Project would result in increased density on the Project site. Therefore, the proposed Project would be consistent with General Plan Policy LU 4.2.
Circulation Element	
Policy CIR-1.8: Ensure that new development can be accommodated within the existing circulation system, or planned circulation improvements, such that the standard of Level of Service (LOS) D is maintained.	Consistent. As discussed further in Section 4.16, the traffic analysis conducted for the proposed Project determined that the Project would not result in a significant impact to any study area intersection. The proposed Project would be accommodated by the existing circulation system and, therefore, would be consistent with Policy CIR-1.8.
Infrastructure Element	
Policy INFR-1.2: New development and redevelopment projects shall ensure that water infrastructure systems are adequate to serve the development.	Consistent. As discussed further in 4.17, Utilities, the proposed Project would be located in an area currently served by all utilities. The proposed Project would connect to existing facilities in Lewis Street and Project impacts related to water infrastructure systems would be less than significant. Therefore, the water infrastructure systems are adequate to serve the development and the Project is consistent with Policy INFR-1.2.
Noise Element	
Policy N-1.1: Require all new residential construction in areas with an exterior noise level greater than 55 dBA to include sound attenuation measures.	Consistent. As discussed in Section 4.12, among other things, the proposed Project would require the construction of a sound attenuation wall along Garden Grove Boulevard and the residential units would be required to meet ventilation standards required by the California Building Code (CBC) with the windows closed. With incorporation of these measures, the proposed Project would comply with the City's Noise Ordinance. Therefore, the proposed Project would be consistent with Policy N-1.1.
Policy N-1.2: Incorporate a noise assessment study into the environmental review process, when needed for a specific project for the purposes of identifying potential noise impacts and noise abatement procedures.	Consistent. A noise assessment was prepared as part of this IS/MND (refer to Section 4.12). The analysis herein identified potential noise impacts and appropriate noise mitigation measures. With incorporation of these measures, the proposed Project would comply with the City's Noise Ordinance. Therefore, the Project would be consistent with Policy N-1.2.

Table 4.10.A: General Plan Consistency Analysis

Select General Plan Policies	Consistency Analysis
Parks, Recreation, and Open Space Element	
Policy PRK-1.4: Encourage the provision of parks and recreation space in new development and redevelopment projects.	Consistent. The proposed Project would include the development of a private recreation area that would be located near the entrance of the residential community. The recreation area would feature the following amenities: a playground, an open turf area, two covered barbeque dining areas, and a shade structure with bench seating. Therefore, the Project is consistent with Policy PRK-1.4.
Conservation Element	
Policy CON-1.3: Promote water conservation in new development or redevelopment project design, construction, and operations.	Consistent. The proposed Project would be consistent with California's Title 24 energy code and the California Green Buildings Standards codes. As such, the proposed Project would incorporate the following sustainability features: low-flow toilets; low-flow showerheads; low-flow kitchen faucets; and tankless water heaters. Therefore, the proposed Project would be water efficient and the proposed Project would be consistent with the intent of Policy CON-1.3.
Goal CON-7: Significant historical, architectural, archeological, and cultural value resources shall be preserved and protected.	Consistent. As discussed in Section 4.5, there are no known archaeological, historical, or paleontological resources on the Project site. Mitigation has been included to address the discovery of buried resources during construction. Therefore, the Project would be consistent with Goal CON-7.
Safety Element	
Policy SAF-5.1: Continue to develop and enforce construction and design standards related to fire prevention.	Consistent. The proposed Project would provide fire sprinklers in all residential units and would construct/install three new fire hydrants on the Project site. Therefore, the Project would be consistent with Policy SAF-5.1.
Policy SAF-6.3 Ensure that new structures are seismically safe through the proper design and construction. The minimum level of design necessary would be in accordance with seismic provisions and criteria contained in the most recent version of the State and County Codes. Construction shall require effective oversight and enforcement to ensure adherence to the earthquake design criteria.	Consistent. New structures at the proposed Project site would be constructed in accordance to State and County building codes to ensure that structures are designed with greater than the minimum level of seismic safety. Therefore, the Project would be consistent with Policy SAF-6-3.

Source: City of Garden Grove Central Plan (2008).

CBC = California Building Code

CC&Rs = Covenants, Conditions, and Restrictions

City = City of Garden Grove

dBa = A-weighted decibel(s)

HOA = homeowners association

IS/MND = Initial Study/Mitigated & Negative Declaration

The Project site currently has the zoning designation of R-1-6, Single Family Residential. The Project proposes to rezone the Project site to a Residential Planned Unit Development. A planned unit development (PUD) is a precise plan, adopted by ordinance, which provides the

means for the regulation of buildings, structures, and uses of land in order to facilitate the implementation of the General Plan. The regulations of the planned unit development are intended to provide for a diversity of uses, relationships, and open spaces in an innovative land plan and design, while ensuring compliance with the provisions of the Municipal Code.

Section 9.08.030.020 of the City's Municipal Code prohibits PUDs less than 3 acres in size for residential uses. The proposed Project site is 9.01 acres. Section 9.08.030.020 also requires that PUDs be in conformity with all elements of the General Plan, and any other ordinances of the City. As discussed above, the proposed Project would be consistent with the Goals and Policies contained in the City's General Plan. The proposed Project includes a General Plan Amendment to modify the land use designation of the Project site from Civic/Institutional to Low Density Residential. The Low Density Residential land use designation allows for the development of living accommodations including single-family dwelling units. The Project site currently has no residential units. Following Project implementation the Project site would have a net density of 7.8 dwelling units per acre, which is within the range allowed by the City's General Plan Low Density Residential land use designation. Therefore, the proposed Project would be consistent with the requirements of the Garden Grove Municipal Code (GGMC) regarding consistency with the General Plan.

The City's Municipal Code also requires that PUDs be in full conformance with the following:

- 2) That the location, design and proposed uses are compatible with the character of existing development in the vicinity and will be well integrated into its setting;
- 3) That the plan will produce a stable and desirable environment and will not cause undue traffic congestion on surrounding or access streets;
- 4) That the provision is made for both public and private open spaces;
- 5) That provision is made for the protection and maintenance of private areas reserved for common use; and
- 6) That the quality of the project achieved through the planned unit development zoning is greater than could be achieved through traditional zoning.

The proposed Project would be located in an area with existing residential development. Residential uses would be located to the north, east, and south of the Project site. As discussed further in Section 4.16, the traffic analysis conducted for the proposed Project determined that the Project would not result in a significant impact to any study area intersection. The proposed Project would be accommodated by the existing circulation system. The proposed Project would include the development of a 14,089 sf private recreation area that would be located near the entrance of the residential community. The recreation area would feature the following amenities: a playground, an open turf area, two covered barbeque dining areas, and a shade structure with bench seating. Common areas, including the recreation area, would be managed by an HOA to ensure adequate maintenance and security. Management by an HOA would help ensure that the neighborhood created by the Project would be a well-maintained neighborhood. Overall, the PUD allows for a unique

and high quality small lot subdivision project that would not otherwise be possible in the City.

For the reasons outlined above, the proposed Project would be consistent with applicable zoning code development standards, and no mitigation is required.

Reorganization. The Project site is within the City of Garden Grove and the City of Orange. As discussed previously, the proposed Project includes the reorganization of jurisdictional lines to incorporate 0.901 acre from the City of Orange into the City of Garden Grove. As previously stated, the Project site is designated Civic/Institutional to Low Density Residential in the City of Garden Grove General Plan and is zoned R-1-6, Single Family Residential. Comparatively, areas immediately west of the Project site located in the City of Orange are designated Medium-Density Residential. The City of Orange classifies the area to be reorganized into the City of Garden Grove as Office Professional (O-P).

The proposed Project includes the reorganization of jurisdictional boundaries to incorporate 0.901 acres of land from the City of Orange into the City of Garden Grove. This process would be organized through coordination with the Orange County LAFCO in conjunction with both the City of Orange and City of Garden Grove. The reorganization would require an agreement of property tax exchange between the Cities and would require discretionary action from LAFCO. Under the condition in which the reorganization is approved, the jurisdictional control of the land would change and regulation of the reorganized area would change from the City of Orange General Plan to the City of Garden Grove General Plan (State of California 2012). As stated in Tables 4.10.A and 4.10.B, the proposed Project would be compliant with City of Garden Grove regulations and would not conflict with plans, policies, or regulations instated to prevent adverse effects. Therefore, the reorganization of land from the City of Orange to the City of Garden Grove would create a less than significant impact and no mitigation would be required.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required

(c) Would the Project conflict with any applicable habitat conservation plan or natural community conservation plan?

The Project site is currently developed and located in an urban area. The Project site is not located in or adjacent to an existing or proposed HCP, NCCP, or other approved local, regional, or State HCP. More specifically, the City of Garden Grove is not within the boundaries of the Orange County Central/Coastal NCCP/HCP. As such, implementation of the proposed Project would not conflict with the provisions of an HCP, NCCP, or other habitat conservation plan, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No mitigation is required

Table 4.10.B Zoning Ordinance Development Standards Consistency Analysis

City of Garden Grove Zoning Standards Chapter 9.12.040.060 Special Requirements— Small Lot Subdivisions	Project Consistency Analysis
Minimum Lot Size The minimum lot size for a small lot subdivision shall be one acre. GGMC Sec. 9.12.040.060 (A)	The lot size is 9.01 acres. Therefore, the Project is compliant with the GGMC requirement for minimum lot size.
Minimum Number of Lots There shall be a minimum of six lots for a small lot subdivision. GGMC Sec. 9.12.040.060 (A)	The Project consists of 70 lots. Therefore, the Project is compliant with the GGMC requirement regarding the minimum number of lots.
Development Perimeter Block Wall Each development shall provide a decorative masonry perimeter wall with a minimum height of six feet but not to exceed a maximum height of eight feet. GGMC Sec. 9.12.040.060 (C)	The proposed Project would include 6-foot walls along the north, east, and west perimeter of the site and an 8-foot wall along the southern site perimeter (along Garden Grove Boulevard). Therefore, the proposed Project would be consistent with the regulations set forth in the GGMC.
Development Entrance. <ul style="list-style-type: none"> The development's entrance shall be enhanced to provide a sense of neighborhood arrival. Entrance enhancement may include such elements as signage, special landscaping, decorative pavement, enhanced fence wall details, water features utilizing reclaimed water, boulevard median, and similar aesthetic improvements. If the development includes a security gate, the setback shall comply with the required setbacks established by the Public Works Engineering Division. GGMC Sec. 9.12.040.060(D)	The Project entrance would feature distinct pavers and an entrance gate as well as date palms, which are not used elsewhere on the property. This creates a sense of neighborhood arrival for the Project. Additionally, the gate would be set back 75.9 feet and feature aesthetic improvements to set it apart from the rest of the community. The security gate setback would comply with the requirements of the Public Works Planning Division. Therefore, the Project would be consistent with the GGMC.
Common Recreational Space 200 square feet per dwelling unit GGMC Sec. 9.12.040.060 (E)	The proposed Project would include the development of a 14,089-square-foot private recreation area that would be located near the entrance of the residential community. The recreation area would feature the following amenities: a playground, an open turf area, two covered barbeque dining areas, and a shade structure with bench seating. The required common recreation space for any development over 10 units is 200 square feet per unit, so this development would require 14,000 square feet. Therefore, the proposed Project would be consistent with the GGMC.
Internal Streets 36 ft wide with 2 sided parking 28 ft wide with 1 sided parking GGMC Sec. 9.12.040.060 (F)	All streets with parking on both sides within the Project are 36 feet wide and all streets with parking on one side are 28 feet wide. Therefore, the proposed Project would be consistent with the GGMC.
Project Sidewalks 48 inches wide GGMC Sec. 9.12.040.060 (G)	All sidewalks proposed as part of the Project would be at least 4.5 feet wide, which is greater than the required 48 inches. Therefore, proposed Project would be consistent with the GGMC.

Table 4.10.B Zoning Ordinance Development Standards Consistency Analysis

City of Garden Grove Zoning Standards Chapter 9.12.040.060 Special Requirements— Small Lot Subdivisions	Project Consistency Analysis
<p>Group Mailboxes. If group mailboxes are part of the project design, the mailboxes should be located conveniently and in a safe location within the community. The City shall determine and approve the location of the group mailboxes.</p> <ul style="list-style-type: none"> The group mailboxes shall be designed with the architectural character of surrounding buildings, and be similar in form, materials, and colors. Group mailboxes shall be illuminated with lights and fixtures similar to those used externally throughout the development. Design and location of group mailboxes must conform to US Post Office requirements. <p>GGMC Sec. 9.12.040.060 (H)</p>	<p>The group mailboxes would be designed with character similar to that of the surrounding community. They would be located near the recreation area for a centralized location and would be lit with interior development lights. The mailboxes would also be consistent with all U.S. Post Office requirements for mailboxes. Therefore, the proposed Project would be consistent with the GGMC.</p>
<p>Dwelling Open Space 15 ft x 20 ft area (GGMC Sec. 9.12.040.060 (H))</p>	<p>All dwellings have a minimum of 300 square feet of open space consisting of a 15 foot x 20 foot area. Therefore, the proposed Project would be consistent with the GGMC.</p>
<p>Front Setbacks 10 ft minimum when adjacent to private roads GGMC Sec. 9.12.040.060 (I)</p>	<p>The minimum front setback for any design would be 10 feet from the sidewalk. Therefore, the proposed Project would be consistent with the GGMC.</p>
<p>Dwelling Height Not to exceed 30 ft if 2 stories tall GGMC Sec. 9.12.040.060 (L)</p>	<p>All buildings are no more than two stories tall and are less than 30 feet tall. Therefore, the proposed Project would be consistent with the GGMC.</p>
<p>Parking Requirements 3.75 spaces per unit 2 spaces in an enclosed garage 1 guest parking space in driveway 0.75 unassigned guest parking space in parking lot or street GGMC Sec. 9.12.040.060 (O)</p>	<p>All units include a two-car garage and a one-car guest driveway. In addition, there are 53 street spaces within the Project site. This would be a total of 263 spaces provided on site, which meets the minimum requirements. Therefore, the proposed Project would be consistent with the GGMC.</p>
<p>Landscaping. All setback areas, and all areas not designated for walkways, parking, drive aisle, and private recreation areas, shall be fully landscaped and irrigated.</p> <ul style="list-style-type: none"> All unpaved areas shall be planted with an effective combination of trees, grass berms, ground cover, lawn, shrubbery, and/or approved dry decorative landscaping material. Water-efficient landscape documentation shall be required for all new and rehabilitation landscaping. Adjacent uses shall be considered when designing landscaping to mitigate negative impacts on parking areas, outdoor activities, storage, or other structures by appropriate 	<p>All unpaved areas in the proposed Project would feature drought tolerant or native vegetation. Streets would feature tree wells and dwelling units would each have a lawn area and landscaped zones in their respective private yards. Water-efficient irrigation would be used for all landscaped areas and all areas around the Project site would be observed for incorporation in landscaping design. The existing landscaping would be removed during construction and, therefore, would not be incorporated in the proposed Project. Therefore, the proposed Project would be consistent with the GGMC.</p>

Table 4.10.B Zoning Ordinance Development Standards Consistency Analysis

City of Garden Grove Zoning Standards Chapter 9.12.040.060 Special Requirements— Small Lot Subdivisions	Project Consistency Analysis
screening methods. <ul style="list-style-type: none">Where existing mature landscaping is in good, healthful condition, every effort shall be made to retain and to incorporate said landscaping into the overall landscaping theme. GGMC Sec. 9.12.040.060 (S)	

GGMC = Garden Grove Municipal Code

4.11 MINERAL RESOURCES

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(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"/>

Impact Analysis:

(a) Would the Project 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?

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 on the basis of geologic factors without regard to existing land use and land ownership. The areas are categorized into four 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

Of the four categories, lands classified as MRZ-2 are of the greatest importance. Such areas are underlain by demonstrated mineral resources or are located where geologic data indicate that significant measured or indicated resources are present. MRZ-2 areas are designated by the Mining and Geology Board as being “regionally significant.” Such designations require that a Lead Agency’s land use decisions involving designated areas be made in accordance with its mineral resource management policies and that it consider the importance of the mineral resource to the region or the State as a whole, not just to the Lead Agency’s jurisdiction.

The Project site has been classified by the California Department of Mines and Geology as being located in MRZ-3, indicating that the Project site is located in an area where there are mineral deposits, the significance of which cannot be evaluated. Although the California Department of Mines and Geology classified the site as MRZ-3, the site has never been associated with an mineral resources or mineral resource extraction activities. Therefore, because no known mineral resources are present on the Project site, the Project would not result in the loss of a known commercially valuable mineral resource that would be of value

to the region and the residents of the State. Therefore, no impacts to known mineral resources would occur and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No mitigation is required

(b) Would the Project 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?

As stated in Section 4.11.a, no known valuable mineral resources exist on or near the Project site. The Project site is currently developed with a church and school and no mineral extraction activities occur on site. In addition, the Project site is not identified on a local General Plan, Specific Plan, or other land use plan as a location of a locally important mineral resource. The proposed Project would not result in the loss of a locally important mineral resource recovery site. Therefore, no significant impacts related to mineral resources would result from Project implementation, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No mitigation is required

4.12 NOISE*Would the project result in:*

	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
(a) Exposure of persons to or generation of noise levels 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) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(f) For a project within the vicinity of a private airstrip, 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"/>

Technical Background

The following provides an overview of the characteristics of sound and the regulatory framework that applies to noise within the vicinity of the Project site.

Characteristics of Sound. Noise is usually defined as unwanted sound. Noise consists of any sound that may produce physiological or psychological damage and/or interfere with communication, work, rest, recreation, or sleep. Several noise measurement scales exist that are used to describe noise in a particular location. A decibel (dB) is a unit of measurement that indicates the relative intensity of a sound. Sound levels in decibels are calculated on a logarithmic basis. An increase of 10 dB represents a tenfold increase in acoustic energy, while 20 dB is 100 times more intense, and 30 dB is 1,000 times more intense. Each 10 dB increase in sound level is perceived as approximately a doubling of loudness; similarly, each 10 dB decrease in sound level is perceived as half as loud. Sound intensity is normally measured through the A-weighted sound level (dBA). This scale gives greater weight to the frequencies of sound to which the human ear is most sensitive. The A-weighted sound level is the basis for 24-hour sound measurements, which better represent how humans are more sensitive to sound at night.

As noise spreads from a source, it loses energy; therefore, the farther away the noise receiver is from the noise source, the lower the perceived noise level would be. Geometric spreading causes the sound level to attenuate or be reduced, resulting in a 6 dB reduction in the noise level for each doubling of distance from a single point source of noise to the noise-sensitive receptor of concern.

There are many ways to rate noise for various time periods, but an appropriate rating of ambient noise affecting humans also accounts for the annoying effects of sound. The equivalent continuous sound level (L_{eq}) is the total sound energy of time-varying noise over a sample period. However, the predominant rating scales for human communities in the State of California are the L_{eq} , the community noise equivalent level (CNEL), and the day-night average level (L_{dn}) based on A-weighted decibels. CNEL is the time-varying noise over a 24-hour period, with a 5 dBA weighting factor applied to the hourly L_{eq} for noise occurring from 7:00 p.m. to 10:00 p.m. (defined as relaxation hours) and a 10 dBA weighting factor applied to noise occurring from 10:00 p.m. to 7:00 a.m. (defined as sleeping hours). L_{dn} is similar to the CNEL scale, but without the adjustment for events occurring during the evening relaxation hours. CNEL and L_{dn} are within 1 dBA of each other and are normally interchangeable. The noise adjustments are added to noise events occurring during the more sensitive hours.

Characteristics of Vibration. Vibration refers to groundborne noise and perceptible motion. Groundborne vibration is almost exclusively a concern inside buildings and is rarely perceived as a problem outdoors where the motion may be discernible. However, without the effects associated with the shaking of a building, there is less adverse reaction. Vibration energy propagates from a source through intervening soil and rock layers to the foundations of nearby buildings. The vibration then propagates from the foundation throughout the remainder of the structure. Building vibration may be perceived by occupants as motion of building surfaces, the rattling of items on shelves or hanging on walls, or a low-frequency rumbling noise. The rumbling noise is caused by the vibrating walls, floors, and ceilings radiating sound waves. Building damage is not a factor for normal transportation projects, including rail projects, with the occasional exception of blasting and pile driving during construction. Annoyance from vibration often occurs when the vibration exceeds the threshold of perception by 10 VdB or less. This is an order of magnitude below the damage threshold for normal buildings.

Typical sources of groundborne vibration are construction activities (e.g., blasting, pile driving, and operating heavy-duty earthmoving equipment), steel-wheeled trains, and occasional traffic on rough roads. Problems with groundborne vibration and noise from these sources are usually localized to areas within approximately 100 ft of the vibration source, although there are examples of groundborne vibration causing interference out to distances greater than 200 ft (Federal Transit Administration [FTA] 2006). When roadways are smooth, vibration from traffic, even heavy trucks, is rarely perceptible. For most projects, it is assumed that the roadway surface will be smooth enough that groundborne vibration from street traffic will not exceed the impact criteria; however, construction of the Project could result in groundborne vibration that could be perceptible and annoying. Groundborne noise is not likely to be a problem because noise arriving via the normal airborne path usually will be greater than groundborne noise.

Groundborne vibration has the potential to disturb people as well as damage buildings. Although it is very rare for groundborne vibration to cause even cosmetic building damage, it is not uncommon for construction processes such as blasting and pile driving to cause vibration of sufficient amplitudes to damage nearby buildings (FTA 2006). Groundborne vibration is usually measured in terms of vibration velocity, either the root-mean-square (RMS) velocity or peak particle velocity (PPV). RMS is best for characterizing human response to building vibration, and

PPV is used to characterize the potential for damage. Decibel notation acts to compress the range of numbers required to describe vibration. Vibration velocity level in decibels is defined as:

$$L_v = 20 \log_{10} [V/V_{\text{ref}}]$$

where L_v is the velocity in decibels (VdB), “V” is the RMS velocity amplitude, and “ V_{ref} ” is the reference velocity amplitude, or 1×10^{-6} inches per second used in the United States.

Table 4.12.A illustrates the human response to various vibration levels, as described in the *Transit Noise and Vibration Impact Assessment* (FTA 2006).

Table 4.12.A: Human Response to Different Levels of Ground-Borne Noise and Vibration

Vibration Velocity Level	Noise Level		Human Response
	Low Freq ¹	Mid Freq ²	
65 VdB	25 dBA	40 dBA	Approximate threshold of perception for many humans. Low-frequency sound usually inaudible; mid-frequency sound excessive for quiet sleeping areas.
75 VdB	35 dBA	50 dBA	Approximate dividing line between barely perceptible and distinctly perceptible. Many people find transit vibration at this level unacceptable. Low-frequency noise acceptable for sleeping areas; mid-frequency noise annoying in most quiet occupied areas.
85 VdB	45 dBA	60 dBA	Vibration acceptable only if there are an infrequent number of events per day. Low-frequency noise unacceptable for sleeping areas; mid-frequency noise unacceptable even for infrequent events with institutional land uses (e.g., schools and churches).

Source: Table 7-1. *Transit Noise and Vibration Impact Assessment*, Federal Transit Administration (2006).

¹ Approximate noise level when vibration spectrum peak is near 30 Hz.

² Approximate noise level when vibration spectrum peak is near 60 Hz.

dBA = A-weighted decibels

Hz = Hertz

Freq = Frequency

VdB = vibration velocity decibels

Factors that influence groundborne vibration and noise include the following:

- **Vibration Source:** Vehicle suspension, wheel types and condition, track/roadway surface, track support system, speed, transit structure, and depth of vibration source
- **Vibration Path:** Soil type, rock layers, soil layering, depth to water table, and frost depth
- **Vibration Receiver:** Foundation type, building construction, and acoustical absorption

Among the factors listed above, there are significant differences in the vibration characteristics when the source is underground compared to at the ground surface. In addition, soil conditions are known to have a strong influence on the levels of groundborne vibration. Among the most important factors are the stiffness and internal damping of the soil and the depth to bedrock.

Experience with groundborne vibration indicates that (1) vibration propagation is more efficient in stiff clay soils than in loose sandy soils, and (2) shallow rock seems to concentrate the vibration energy close to the surface and can result in groundborne vibration problems at large distances from the track. Factors such as layering of the soil and depth to water table can have significant effects on the propagation of groundborne vibration. Soft, loose, sandy soils tend to attenuate more vibration energy than hard, rocky materials. Vibration propagation through groundwater is more efficient than through sandy soils.

Applicable Noise Standards. The applicable noise standards governing the Project site are the criteria in the City's Noise Element of the General Plan (Noise Element) and Chapter 8.47 of the City's Municipal Code. In accordance with the Municipal Code, a noise level increase of 5 dBA over the ambient base noise level or existing average ambient noise level at an adjacent property line is considered a noise violation.

General Plan. California Government Code Section 65302(g) requires that a noise element be included in the General Plan of each county and city in the State. The Noise Element of the City General Plan is intended to identify sources of noise and provide objectives and policies that ensure that noise from various sources does not create an unacceptable noise environment. Overall, the City's Noise Element describes the noise environment (including noise sources) in the City, addresses noise mitigation regulations, strategies, and programs, as well as delineating federal, State, and City jurisdiction relative to rail, automotive, aircraft, and nuisance noise.

The City's noise standards are correlated with land use categories in order to maintain identified ambient noise levels and to limit, mitigate, or eliminate intrusive noise that exceeds the ambient noise levels within a specified zone. The City uses the community noise compatibility guidelines established by the State Department of Health Services as a tool for use in assessing the compatibility of various land use types with a range of noise levels. These guidelines are set forth in the City's General Plan Noise Element in terms of the CNEL.

In accordance with the Noise and Land Use Compatibility Matrix from the State of California Office of Planning and Research, found in Table 7-1 of Noise Element of the City's General Plan, a noise exposure of up to 60 dBA CNEL is considered the most desirable target for the exterior of noise-sensitive land uses or sensitive receptors (e.g., homes, schools, churches, and libraries). It is also recognized that such a level may not always be possible in areas of substantial traffic noise intrusion. Exposures up to 70 dBA CNEL for noise sensitive uses are considered conditionally acceptable if all measures to reduce such exposure have been taken. Noise levels above 70 dBA CNEL are normally unacceptable for sensitive receptors except in unusual circumstances. Based on this guidance, a typical exterior noise level of 65 dBA CNEL will be used to assess potential traffic noise impacts within this analysis.

Municipal Code. Section 8.47.040, Ambient Base Noise Levels, provides ambient base noise levels that can be used to determine noise level exceedances. The City's ambient base noise levels are shown in Table 4.12.B.

Table 4.12.B: Ambient Base Noise Levels

Use Categories	Use Designations	Ambient Base Noise Levels	Time of Day
Sensitive	Residential Use	55 dBA	7 a.m. to 10 p.m.
		50 dBA	10 p.m. to 7 a.m.
Conditionally Sensitive	Institutional Use	65 dBA	Any Time
	Office – Professional Use	65 dBA	Any Time
	Hotels & Motels	65 dBA	Any Time
Non-Sensitive	Commercial Uses	70 dBA	Any Time
	Commercial / Industrial uses within 150 feet of Residential	65 dBA	7 a.m. to 10 p.m.
		50 dBA	10 p.m. to 7 a.m.
	Industrial Uses	70 dBA	Any Time

Source: *City of Garden Grove Municipal Code* (2011).

dBA = A-weighted decibels

The ambient base noise levels contained in Table 4.12.B can be used as the basis for determining noise levels in excess of those allowed by the City's Municipal Code, unless the actual measured ambient noise level occurring at the same time as the noise under review is being investigated exceeds the ambient base noise level contained in the table. According to the Municipal Code, when the actual measured ambient noise level exceeds the ambient base noise level, the actual measured ambient noise level should be used as the basis for determining whether or not the subject noise exceeds the level allowed by this section.

In situations where two adjoining properties exist within two different use designations, the most restrictive ambient base noise level applies. The City's Municipal Code also permits any noise level that does not exceed either the ambient base noise level or the actual measured ambient noise level by 5 dBA, as measured at the property line of the noise-generating property.

Additionally, subsection C of Section 8.47.050, General Noise Regulation, provides the following criteria used when the operation in question occurs for less than 30 minutes in an hour:

1. The noise standard for a cumulative period of more than 30 minutes in any hour;
2. The noise standard plus five dBA for a cumulative period of more than 15 minutes in any hour;
3. The noise standard plus 10 dBA for a cumulative period of more than 5 minutes in any hour;
4. The noise standard plus 15 dBA for a cumulative period of more than 1 minute in any hour;
or
5. The noise standard plus 20 dBA for any period of time.

According to the City's Municipal Code, in the event the ambient noise level exceeds any of the first four noise limit categories above, the cumulative period applicable to said category shall be increased to reflect said ambient noise level. In the event the ambient noise level exceeds the fifth

noise limit category, the maximum allowable noise level under said category shall be increased to reflect the maximum ambient noise level.

Section 8.47060, Special Noise Sources, Subsection D, Construction of Buildings and Projects, states:

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.

Additionally, Subsection I, Loading/Unloading, of the same section states:

It shall be unlawful for any person in any commercial or industrial area of the City that abuts or is located adjacent to any residential property between the hours of 10:00 p.m. of one day and 7:00 a.m. of the following day to load or unload any vehicle, or operate any dollies, carts, forklifts, or other wheeled equipment that causes any noise that disturbs the peace or quiet of the residential neighborhood.

Because the City's Municipal Code does not establish construction noise thresholds, for the purposes of analyzing the significance under CEQA, the *Transit Noise and Vibration Impact Assessment* (FTA 2006) criteria will be used. The FTA provides reasonable criteria for assessing construction noise impacts based on the potential for adverse community reaction when the noise criteria are exceeded. For residential uses, the daytime noise threshold is 80 dBA L_{eq} for an 8-hour period. In compliance with the City's Municipal Code, it is assumed construction would not occur during the noise-sensitive nighttime hours.

Applicable Vibration Standards

Due to the lack of vibration standards developed for projects similar to the proposed Project, vibration standards included in FTA Manual are used in this analysis for groundborne vibration impacts, as shown in Table 4.12.C.

The criteria for environmental impact from ground-borne vibration and noise are based on the maximum levels for a single event. Table 4.12.B lists the potential vibration damage criteria associated with construction activities, as suggested in the *Transit Noise and Vibration Impact Assessment* (FTA 2006).

Table 4.12.C: Construction Vibration Damage Criteria

Building Category	PPV (inch/sec)	Approximate L_v (VdB)¹
Reinforced concrete, steel, or timber (no plaster)	0.50	102
Engineered concrete and masonry (no plaster)	0.30	98
Nonengineered timber and masonry buildings	0.20	94
Buildings extremely susceptible to vibration damage	0.12	90

Source: Table 12-3. *Transit Noise and Vibration Impact Assessment*, Federal Transit Administration (2006).

¹ RMS vibration velocity in decibels (VdB) re 1 micro-inch/second.

inch/sec = inches per second

RMS = root-mean-square

L_v = velocity in decibels

VdB = vibration velocity in decibels

PPV = peak particle velocity

FTA guidelines show that a vibration level of up to 102 vibration velocity in decibels (VdB) (an equivalent to 0.5 inch per second [inch/sec] in PPV) (FTA 2006) is considered safe for buildings consisting of reinforced concrete, steel, or timber (no plaster), and would not result in any construction vibration damage. For a nonengineered timber and masonry building, the construction vibration damage criterion is 94 VdB (0.2 inch/sec in PPV). The PPV values for building damage thresholds referenced above are also shown in Table 4.12.D, taken from the *Transportation and Construction*

Table 4.12.D: Guideline Vibration Potential Threshold Criteria

Structure and Condition	Maximum PPV (inch/sec)	
	Transient Sources¹	Continuous/Frequent Intermittent Sources²
Extremely fragile historic buildings, ruins, ancient monuments	0.12	0.08
Fragile buildings	0.20	0.10
Historic and some old buildings	0.50	0.25
Older residential structures	0.50	0.30
New residential structures	1.00	0.50
Modern industrial/commercial buildings	2.00	0.50

Source: Table 19. *Transportation and Construction Vibration Guidance Manual*, California Department of Transportation (2013).

¹ Transient sources create a single, isolated vibration event (e.g., blasting or drop balls).

² Continuous/frequent intermittent sources include impact pile drivers, pogo-stick compactors, crack-and-seat equipment, vibratory pile drivers, and vibratory compaction equipment.

inch/sec = inches per second

PPV = peak particle velocity

Vibration Guidance Manual (Caltrans 2013), which included additional building definition and vibration building damage thresholds. Vibration impacts are discussed under Threshold 4.12.(b).

Existing Noise Environment

The Project site is south and southeast of SR-22 and is bordered to the west by existing commercial/industrial uses, to the south by Garden Grove Boulevard, to the east by South Lewis Street and to the north by existing multifamily residences. The noise levels at the Project site are dominated by traffic on the surrounding streets. In order to assess the existing noise conditions in the area, noise measurements were gathered along the western, eastern, and southern property line of the proposed Project. Four long-term 24-hour measurements were taken from November 3, 2016, to November 4, 2016. The location of the noise measurements are shown on Figure 4.12.1 with the results shown in Table 4.12.E.

Impact Analysis:

(a) Would the Project result in the exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Standards and ordinances applicable to the proposed Project would be associated with construction, long-term traffic, and stationary noise. The proposed Project consists of construction and operation of 70 single-family detached residential units. The Project also includes the development of a private recreation area that would be located near the entrance of the residential community.

Table 4.12.E: Existing Noise Level Measurements

Location	Description	Daytime Noise Levels (dBA L _{eq})	Evening Noise Levels (dBA L _{eq})	Nighttime Noise Levels (dBA L _{eq})	Daily Noise Levels (dBA CNEL)
LT-1	Located approximately 180 feet from the edge of SR-22 on the northwest portion of the Project site.	54.5 – 63.3	60.7 – 61.1	57.0 – 63.4	67.0
LT-2	Located approximately 360 feet southeast from the edge of SR-22 and 395 feet north of the edge of Garden Grove Boulevard along the western property line of the Project site.	55.1 – 65.7	59.5 – 61.6	57.9 – 66.4	68.5
LT-3	Located 95 feet north of the edge of Garden Grove Boulevard near the southwestern corner of the Project site.	63.1 – 66.7	61.4 – 63.3	56.9 – 64.6	68.3
LT-4	Located approximately 25 feet west of the edge of South Lewis Street near the eastern property line of the Project site.	66.5 – 73.3	67.3 – 68.4	60.2 – 69.9	72.7

Source: LSA, November 3–4, 2016.

Daytime Noise Levels = noise levels during the hours of 7:00 a.m. to 7:00 p.m.

Evening Noise Levels = noise levels during the hours of 7:00 p.m. to 10:00 p.m.

Nighttime Noise Levels = noise levels during the hours of 10:00 p.m. to 7:00 a.m.

CNEL = Community Noise Equivalent Level

dBA = A-weighted decibel

L_{eq} = the average noise level during a specific hour

LT = long-term measurement

SR-22 = State Route 22

Figure 4.12.1: Noise Monitoring Locations

This page intentionally left blank

Short-Term Construction Noise Impacts. Short-term noise impacts would be associated with demolition of the existing structures, excavation, grading, and construction of the proposed structures. Construction-related short-term noise levels would be higher than existing ambient noise levels in the Project area at the present time, but would no longer occur once construction of the Project is completed.

Two types of short-term noise impacts could occur during construction of the proposed Project.

The first type of short-term construction noise would result from the transport of construction equipment and materials to the Project site and construction worker commutes. These transportation activities would incrementally raise noise levels on access roads leading to the site. Larger trucks used in equipment delivery are expected to generate higher noise impacts than trucks associated with worker commutes. The single-event noise from equipment trucks passing at a distance of 50 ft from a sensitive noise receptor would reach a maximum level of 84 dBA L_{max} . However, the pieces of heavy equipment for grading and construction activities would be moved on site just one time and would remain on site for the duration of each construction phase. This one-time trip, when heavy construction equipment is moved on and off site, would not add to the daily traffic noise in the Project vicinity. Furthermore, the projected traffic from the construction worker commutes would be minimal when compared to existing traffic volumes on the affected streets, and its associated long-term noise level change would not be perceptible. Therefore, equipment transport noise and construction-related worker commute impacts would be short term and would not result in a significant off-site noise impact.

The second type of short-term noise impact is related to noise generated during excavation, grading, and building erection on the Project site. Construction is completed in discrete steps, each of which has its own mix of equipment and, consequently, its own noise characteristics. These various sequential phases would change the character of the noise generated on the site and, therefore, the noise levels surrounding the site as construction progresses. Despite the variety in the type and size of construction equipment, similarities in the dominant noise sources and patterns of operation allow construction-related noise ranges to be categorized by work phase. Table 4.12.F lists typical construction equipment noise levels recommended for noise impact assessments, based on a distance of 50 ft between the equipment and a noise receptor, taken from the Federal Highway Administration (FHWA) Roadway Construction Noise Model (RCNM; FHWA 2006).

Typical noise levels range up to 90 dBA L_{max} at 50 ft during the noisiest construction phases. The site preparation phase, which includes excavation and grading of the site, tends to generate the highest noise levels because earthmoving equipment is the noisiest construction equipment. Earthmoving equipment includes excavating machinery (e.g., backfillers, bulldozers, draglines, and front loaders) and compacting equipment includes compactors, scrapers, and graders. Typical operating cycles for these types of construction equipment may involve 1 or 2 minutes of full-power operation followed by 3 or 4 minutes at lower power settings.

Table 4.12.F: Typical Maximum Construction Equipment Noise Levels (L_{\max})

Type of Equipment	Acoustical Usage Factor	Suggested Maximum Sound Levels for Analysis (dBA L_{\max} at 50 ft)
Air Compressor	40	80
Backhoe	40	80
Cement Mixer	50	80
Concrete/Industrial Saw	20	90
Crane	16	85
Excavator	40	85
Forklift	40	85
Generator	50	82
Grader	40	85
Loader	40	80
Paver	50	85
Roller	20	85
Rubber Tire Dozer	40	85
Scraper	40	85
Tractor	40	84
Truck	40	84
Welder	40	73

Source: Federal Highway Administration, *Highway Construction Noise Handbook* (2006).

dBA = A-weighted decibel

ft = feet

L_{\max} = maximum noise level

Based on the information in Table 4.12.F, the maximum noise level generated by each scraper on the proposed Project site is assumed to be 85 dBA L_{\max} at 50 ft from the scraper. Each bulldozer would also generate 85 dBA L_{\max} at 50 ft. The maximum noise level generated by water and pickup trucks is approximately 84 dBA L_{\max} at 50 ft from these vehicles. As presented in Appendix H, the combination of this equipment, taking into account the usage factor of each piece of equipment, would result in a combined noise level of 88.6 dBA L_{eq} at a distance of 35 ft, which represents the distance from equipment at the Project site to the nearest noise-sensitive uses to the north.

Noise level projections were also calculated from the center of the construction activity to the nearest residences due to the spreading of equipment expected. At a distance of 300 ft from the nearest property line, construction noise levels would be expected to approach 69.9 dBA L_{eq} while noise levels may approach 88.6 dBA L_{eq} at the nearest off-site residential uses (to the north) when construction activities occur near the Project site boundary. Compliance with the City's Noise Ordinance would ensure that construction noise does not disturb residents during the times they are most likely to be home or during hours when ambient noise levels are likely to be lower (i.e., at night). As stated above, the FTA's daytime construction noise criteria or threshold for residential uses is 80 dBA L_{eq} for an 8-hour period. Because construction noise levels would exceed the hourly noise level standard, mitigation would be required to address potential impacts related to construction noise. Mitigation Measure NOI-1 would limit construction hours and require the construction contractor to implement noise reducing measures during construction. Although construction noise would be higher than the

ambient noise in the Project vicinity, it would cease to occur once Project construction is completed. Vibration impacts are discussed under Threshold 4.12.(b).

The temporary perimeter wall and duration of heavy equipment operations as required by Mitigation Measure NOI-1 would be expected to reduce noise at ground level sensitive receptors by approximately 9.3 dBA. With the inclusion of Mitigation Measure NOI-1, construction noise levels would no longer exceed the 80 dBA L_{eq} noise criteria at residential uses. Additionally, Mitigation Measure NOI-1 includes further feasible and reasonable construction operational measures to reduce construction noise. Therefore, construction activity would comply with the FTA criteria, and a less than significant impact would occur.

Long-Term Off-Site Traffic Noise Impacts. The FHWA Highway Traffic Noise Prediction Model (FHWA RD-77-108) was used to evaluate traffic-related noise conditions in the vicinity of the Project site. This model requires various parameters, including traffic volumes, vehicle mix, vehicle speed, and roadway geometry to compute typical equivalent noise levels during daytime, evening, and nighttime hours. The resultant noise levels are weighted and summed over 24-hour periods to determine the CNEL values. The existing and future traffic volumes along the roadways analyzed in the study area were obtained from the traffic analysis prepared for the proposed Project (LSA January 2017b; Appendix F of this Initial Study/Mitigated Negative Declaration [IS/MND]). Tables 4.12.G through 4.12.J list the existing and future traffic noise levels for these roadway segments in the Project vicinity. These noise levels represent worst-case scenarios, which assume that no shielding is provided between the traffic and the location where the noise contours are drawn. The specific assumptions used in developing these noise levels and the model printouts are provided in Appendix H of this IS/MND.

Tables 4.12.G through 4.12.J show the traffic noise levels for the Existing Year (2016) with and without the Project as well as Future Year (2019) with and without the Project. Traffic noise levels would be low to moderately high. The increase in Project-related traffic noise levels would be very small, ranging from 0.0 to 0.2 dBA along the segments analyzed. These noise level increases are small and not perceptible by the human ear, therefore, off-site traffic noise impacts would be less than significant, and no mitigation is required.

Long-Term On-Site Traffic Noise Impacts. The proposed on-site residential uses would be exposed to traffic noise impacts from primarily SR-22, approximately 250 ft to the northwest at the closest point, and South Lewis Street and Garden Grove Boulevard, both located adjacent to the Project site, as well as minor noise impacts from other surrounding properties and streets. Although CEQA does not generally require an analysis of the effects of the environment on the Project, the following analysis is provided to disclose noise levels experienced by future residents. Based on the noise levels presented in Table 4.12.K, existing noise levels at the rear yards along the southern and eastern property line as well as the northwest corner of the Project site exceed the 65 dBA CNEL exterior noise level standard. In order to calibrate the noise model, Table 4.12.K shows the difference in the measured existing levels and modeled existing levels. These differences are associated with shielding from buildings and existing freeway walls as well as surrounding commercial and industrial uses that provide noise impacts to the Project site. These differences will be applied to the

Table 4.12.G: Existing Baseline Traffic Noise Levels

Roadway Segment	Average Daily Traffic	Center line to 70 CNEL (ft)	Center line to 65 CNEL (ft)	Center line to 60 CNEL (ft)	CNEL (dBA) 50 ft from Centerline of Outermost Lane
South Lewis Street, North of Lampson Avenue	17,200	< 50	91	190	66.5
South Lewis Street, Lampson Avenue to Garden Grove Boulevard	14,300	< 50	81	169	65.7
South Lewis Street, South of Garden Grove Boulevard	2,400	< 50	< 50	51	59.4
Lampson Avenue, West of South Lewis Street	11,400	< 50	57	117	63.7
Lampson Avenue, East of South Lewis Street	10,100	< 50	< 50	108	63.2
Garden Grove Boulevard, West of South Lewis Street	24,100	56	112	238	67.9
Garden Grove Boulevard, East of South Lewis Street	18,300	< 50	94	198	66.7

Source: Compiled by LSA (November 2016).

¹ Traffic noise within 50 ft of roadway centerline requires site-specific analysis.

CNEL = Community Noise Equivalent Level

dBA = A-weighted decibel

ft = feet

Table 4.12.H: Existing Plus Project Traffic Noise Levels

Roadway Segment	Average Daily Traffic	Centerline to 70 CNEL (ft)	Centerline to 65 CNEL (ft)	Centerline to 60 CNEL (ft)	CNEL (dBA) 50 ft from Outermost Lane	Change from No Project Level (dBA)
South Lewis Street, North of Lampson Avenue	17,400	< 50	92	192	66.5	0.0
South Lewis Street, Lampson Avenue to Garden Grove Boulevard	14,700	< 50	82	172	65.8	0.1
South Lewis Street, South of Garden Grove Boulevard	2,400	< 50	< 50	51	59.4	0.0
Lampson Avenue, West of South Lewis Street	11,500	< 50	57	118	63.7	0.0
Lampson Avenue, East of South Lewis Street	10,300	< 50	53	109	63.2	0.0
Garden Grove Boulevard, West of South Lewis Street	24,300	57	113	239	68.0	0.1
Garden Grove Boulevard, East of South Lewis Street	18,400	< 50	95	199	66.8	0.1

Source: Compiled by LSA (November 2016).

¹ Traffic noise within 50 ft of roadway centerline requires site-specific analysis.

CNEL = Community Noise Equivalent Level

dBA = A-weighted decibel

ft = feet

Table 4.12.I: Future Conditions (Year 2019) Without Project Traffic Noise Levels

Roadway Segment	Average Daily Traffic	Centerline to 70 CNEL (ft)	Centerline to 65 CNEL (ft)	Centerline to 60 CNEL (ft)	CNEL (dBA) 50 ft from Centerline of Outermost Lane
South Lewis Street, North of Lampson Avenue	18,400	< 50	95	199	66.8
South Lewis Street Lampson Avenue to Garden Grove Boulevard	14,900	< 50	83	173	65.8
South Lewis Street, South of Garden Grove Boulevard	2,400	< 50	< 50	51	59.4
Lampson Avenue, West of South Lewis Street	11,900	< 50	58	120	63.9
Lampson Avenue, East of South Lewis Street	11,200	< 50	56	116	63.6
Garden Grove Boulevard, West of South Lewis Street	25,000	57	115	243	68.1
Garden Grove Boulevard, East of South Lewis Street	19,000	< 50	97	203	66.9

Source: Compiled by LSA (November 2016).

¹ Traffic noise within 50 ft of roadway centerline requires site-specific analysis.

CNEL = Community Noise Equivalent Level

dBA = A-weighted decibel

ft = feet

Table 4.12.J: Future Conditions (Year 2019) With Project Traffic Noise Levels

Roadway Segment	Average Daily Traffic	Centerline to 70 CNEL (ft)	Centerline to 65 CNEL (ft)	Centerline to 60 CNEL (ft)	CNEL (dBA) 50 ft from Outermost Lane	Change from No Project Level (dBA)
South Lewis Street, North of Lampson Avenue	18,600	< 50	95	200	66.8	0.0
South Lewis Street, Lampson Avenue to Garden Grove Boulevard	15,300	< 50	85	176	66.0	0.2
South Lewis Street, South of Garden Grove Boulevard	2,400	< 50	< 50	51	59.4	0.0
Lampson Avenue, West of South Lewis Street	12,000	< 50	58	121	63.9	0.0
Lampson Avenue, East of South Lewis Street	11,400	< 50	57	117	63.7	0.1
Garden Grove Boulevard, West of South Lewis Street	25,200	58	116	245	68.1	0.0
Garden Grove Boulevard, East of South Lewis Street	19,100	< 50	97	204	66.9	0.0

Source: Compiled by LSA (November 2016).

¹ Traffic noise within 50 ft of roadway centerline requires site-specific analysis.

CNEL = Community Noise Equivalent Level

dBA = A-weighted decibel

ft = feet

Table 4.12.K: On-Site Unmitigated Exterior Noise Levels (dBA CNEL)

Location	Major Source of Noise	Measured Existing	Modeled Existing	Difference ¹	Modeled Future Levels Prior to Adjustment	Adjusted Future Noise Levels
Northwest Corner of Site	SR-22	67.0	75.1	-8.2	75.4	67.2
Southern Property Line	Garden Grove Boulevard	68.3	65.7	2.3	69.7	72.0
Eastern Property Line	South Lewis Street	72.7	67.7	_ ²	67.8	67.8

Source: Compiled by LSA (November 2016).

¹ The difference shown accounts for shielding from existing walls and buildings as well as other sources in the surrounding community, including commercial and industrial uses.

² The difference at this location was not carried forward due to change in sources of noise from existing to future conditions

CNEL = Community Noise Equivalent Level

dBA = A-weighted decibel

SR-22 = State Route 22

future modeled noise levels to accurately assess the impact on site. The difference between existing and modeled noise levels along the eastern property line were not carried forward due to the change in noise sources in the area. The measurement gathered was highly influenced by activities at the school which would not occur once the proposed Project is developed.

In addition to the traffic information presented in the traffic analysis, data from the Caltrans Census Data website was used to analyze impacts from SR-22. As presented on the Caltrans website, the existing average daily traffic for this segment of SR-22 is 229,800 vehicles per day. Future traffic noise levels were calculated assuming a 0.04 percent increase in traffic volume on SR-22 per year based on recent trends and a 1 percent increase per year in traffic volume on the surrounding roadways.

The results of the analysis shown in Table 4.12.K identify exterior noise levels that exceed the City's 65 dBA CNEL exterior noise level standard after adjustment.

After identifying the exterior noise levels at the single-family homes along the property line of the proposed Project which exceed the City's exterior noise level standard, perimeter walls were modeled to provide noise reduction. As shown Table 4.12.L, as well as the printouts in Appendix H, calculations were completed assuming the proposed 6 ft high wall as well as a slightly taller 8-ft high wall. With the construction of the perimeter wall, as presented in Mitigation Measure NOI-2 and shown on Figure 4.12.2, exterior noise levels would be reduced to a less than significant level. The Project Applicant/Developer shall install a solid gate at the emergency vehicle entrance on Garden Grove Boulevard or install "curved" walls as shown in Figure 4.12.2.

Figure 4.12.2: Perimeter Wall Location

This page intentionally left blank

Table 4.12.L: Future On-Site Exterior Noise Levels (dBA CNEL)

Location	Unmitigated Noise Levels	Noise Reduction From 6-foot Perimeter Barrier	Mitigated Noise Level with 6-foot Perimeter Barrier	Noise Reduction From 8-foot Perimeter Barrier	Mitigated Noise Level with 8-foot Perimeter Barrier
Northwest Corner of Site	67.2	5.7	61.5	8.4	58.8
Southern Property Line	72.0	6.3	65.7	9.2	62.8
Eastern Property Line	67.8	6.3	61.5	9.2	58.6

Source: Compiled by LSA (November 2016).

Numbers in **bold** exceed the City's exterior noise level standard of 65 dBA CNEL

CNEL = Community Noise Equivalent Level

dBA = A-weighted decibel

In addition to showing compliance with the exterior noise levels standards, the analysis below addresses potential interior noise impacts. As presented above, noise levels at the exterior of the first floor façade would range from 61.5 to 62.8 dBA CNEL while noise levels at second floor façades would range from 67.2 to 72.0 dBA CNEL. In order to comply with the City's interior noise level standard of 45 dBA CNEL, a reduction ranging from 16.5 to 17.8 dBA CNEL and 22.2 to 27 dBA CNEL would be required at first and second floor façades, respectively.

Based on the ratings provided in Sound Control For Commercial And Residential Buildings (North American Innovation Manufacturers Association 1997), standard building construction used in Southern California consisting of 7/8-inch stucco, 1-inch woven mesh and No. 15 felt paper, 2-inch x 4-inch studs, 0.5-inch gypsum board, and standard insulation batt provides an Sound Transmission Class (STC) rating of 46. In combination with standard wall construction, it is expected that windows with a rating of STC-27 (ABC 2008) would provide an overall noise reduction of 27.4 dBA CNEL. With a windows closed condition, interior noise levels would be approximately 44.6 dBA (i.e., 72.0 dBA – 27.4 dBA = 44.6 dBA), which is below the 45 dBA CNEL interior noise standard with windows closed for noise-sensitive land uses. Therefore, in addition to perimeter walls, Mitigation Measure NOI-2 requires the Project to incorporate measures necessary to meet the interior noise standard of 45 dBA CNEL. Specifically, Mitigation Measure NOI-2 requires all residential units on the Project site to have windows with a minimum STC rating of 27 and that all residential units be able to meet the ventilation standards required by the CBC with windows closed. This would likely require installation of air-conditioning systems or another form of mechanical ventilation to ensure that windows can remain closed for a prolonged period of time. With implementation of Mitigation Measure NOI-2, the proposed Project would comply with interior noise standards and long-term on-site traffic noise impacts would comply with applicable requirements.

Long-Term Stationary Noise Impacts. As shown on Figure 2.5, the proposed Project also includes the development of a private recreation area that would be located near the entrance of the residential community. The recreation area would feature the following amenities: a playground, an open turf area, two covered barbeque dining areas, and a shade structure with

bench seating. Activities at the recreation area are expected to produce minimal noise impacts and any impacts created would be shielded by the homes located between the recreation area and the multifamily residential uses to the north. In addition, activities at the recreation area are expected to be governed by HOA rules that would limit the hours of use to 7:00 a.m. to 10:00 p.m. Therefore, due to shielding, distance, and anticipated limitations on hours of operation, potential impacts to off-site residential uses from the proposed recreation area would be less than significant. Mitigation Measure NOI-3 requires the HOA to limit the hours of use at the recreation area to the hours between 7:00 a.m. and 10:00 p.m. The HOA may choose to further restrict hours at its discretion.

In addition to traffic noise impacts from the northwest, east, and south, the proposed Project could be potentially impacted by operations at the commercial/industrial uses to the west. The results of the long-term noise measurement at LT-2 show that maximum noise levels from activities at the neighboring uses reach 73.7 dBA L_{max} . As compared to the City's maximum nighttime noise level standard of 70 dBA L_{max} , noise impacts would exceed the maximum nighttime noise level standard by 3.7 dBA L_{max} . With the construction of the 6 ft high perimeter wall, noise levels associated with operations at the commercial/industrial uses to the west would be reduced to below 70 dBA L_{max} .

Significance Determination: Potentially Significant Impact

Mitigation Measures:

- NOI-1 Construction Noise and Vibration:** Prior to issuance of building permits, the Director of the Garden Grove Community and Economic Development Department, or designee, shall verify that grading and construction plans include the following requirements:
- Construction activities occurring as part of the project shall be subject to the limitations and requirements of the City of Garden Grove Municipal Code, which states that construction activities shall occur only between the hours of 7:00 a.m. and 10:00 p.m.
 - A temporary 8-ft-high perimeter wall shall be placed along the northern perimeter of the project site such that the line of sight from ground-level construction equipment and sensitive receptors would be blocked. The construction barrier shall be composed of a material that has a minimum Sound Transmission Class (STC) rating of 27.
 - Limit the operations of heavy equipment, specifically scrapers and bulldozers, to less than six (6) hours in duration when activities occur within 50 ft of the northern property line.
 - Ensure that the greatest distance between noise sources and sensitive receptors during construction activities has been achieved:
 - Construction equipment, fixed or mobile, shall be equipped with properly operating and maintained noise mufflers consistent with manufacturer's standards.

- Construction staging areas shall be located away from off-site sensitive uses during the later phases of project development.
- The project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site whenever feasible.
- The construction contractor shall use on-site electrical sources to power equipment rather than diesel generators where feasible.
- All residential units located within 500 ft of the construction site shall be sent a notice regarding the construction schedule. A sign, legible at a distance of 50 ft shall also be posted at the construction site. All notices and the signs shall indicate the dates and duration of construction activities, as well as provide a telephone number for the “noise disturbance coordinator.”
- A “noise disturbance coordinator” shall be established. The disturbance coordinator shall be responsible for responding to any local complaints about construction noise. The disturbance coordinator shall determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and shall be required to implement reasonable measures to reduce noise levels. All notices that are sent to residential units within 500 ft of the construction site and all signs posted at the construction site shall list the telephone number for the disturbance coordinator.
- The construction contractor shall schedule high vibration producing activities between the hours of 8:00 a.m. and 5:00 p.m. to minimize disruption to sensitive uses.
- Grading and construction contractors shall use equipment that generates lower vibration levels such as rubber-tired equipment rather than metal-tracked equipment when construction is located near existing sensitive uses.

NOI-2

Long-Term On-Site Traffic Noise. Prior to issuance of building permits, the Director of the Garden Grove Community and Economic Development Department, or designee, shall verify that construction plans include the following:

- Construction an 8 foot-high wall along the southern perimeter of the Project site (adjacent to Garden Grove Boulevard) and 6 foot-high walls along the northern, western and eastern perimeters of the Project site. The Project Applicant/Developer shall install a solid gate at the emergency vehicle entrance on Garden Grove Boulevard or install “curved” walls as shown in Figure 4.12.2.
- All residences, including all bedrooms and living rooms, shall have windows with a minimum STC rating of 27.
- All exterior windows and doors shall be well-sealed and free of gaps or air spaces.

- Prior to the issuance of building permits, documentation shall be provided to the Director of the City of Garden Grove Community and Economic Development Department, or designee, demonstrating that project buildings meet ventilation standards required by the California Building Code (CBC) with the windows closed. It is likely that a form of mechanical ventilation, such as an air-conditioning system, will be required as part of the project design for all residences.

NOI-3: Recreation Area Municipal Code Compliance. Prior to the issuance of any certificates of occupancy, the Project Applicant/Developer shall submit documentation to the Director of the City of Garden Grove Community and Economic Development Department, or designee, demonstrating that, at a minimum, the homeowners association (HOA) shall limit the hours of use in the private on-site recreation area to the hours between 7:00 am and 10:00 pm. The HOA shall post signs with the hours of access or use in conspicuous places within the recreation area. This requirement shall be included in the Declaration of Covenants, Conditions, and Restrictions (CC&Rs) for the community and shall not be removed.

Significance Determination after Mitigation: Less than Significant Impact

(b) Would the Project result in the exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

Construction of the proposed Project would use heavy equipment (e.g., bulldozers), which would be considered the primary source of vibration during the construction phase. No pile driving is proposed to occur on site during construction. The level of impact at which vibration impacts occur to surrounding uses is dependent primarily on distance. Based on information provided in the *FTA Transit Noise and Vibration Assessment Manual* (FTA 2006), vibration impacts created by heavy construction activities would approach 0.089 inch per second at a distance of 25 ft. This level would not exceed the 0.12 inch per second threshold at which there is virtually no risk resulting in architectural damage to buildings extremely susceptible to vibration damage, and therefore, construction vibration impacts would be less than significant.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required

(c) Would the Project cause a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project

A substantial permanent increase in ambient noise levels in the project vicinity above existing levels would occur if the Project would cause noise levels to increase by 3 dBA or more. As discussed in Response 4.12.a, neither the long-term traffic nor stationary noise sources would cause an increase in ambient noise levels of more than 3 dBA at sensitive receptors in the

vicinity of the Project site, thus the impact would be less than significant and no mitigation is required.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required

(d) Would the Project cause a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

As discussed in Response 4.12.a, implementation of the proposed Project would include construction activities that would result in a substantial temporary increase in ambient noise levels in the Project site vicinity above levels existing without the Project, but would no longer occur once construction is completed. Sensitive receptors in the Project vicinity are as close as 25 ft from proposed construction areas. Compliance with the hours specified in the City's Municipal Code regarding construction activities, as well as implementation of Mitigation Measure NOI-1, would reduce construction noise impacts on adjacent noise-sensitive land uses when construction occurs near the Project boundaries.

Significance Determination: Potentially Significant Impact

Mitigation Measure: Refer to Mitigation Measure NOI-1

Significance Determination after Mitigation: Less than Significant Impact

(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 expose people residing or working in the project area to excessive noise levels?

The Project is approximately 7 mi north of John Wayne Airport (SNA). The proposed Project is over 6 mi outside of the 65 dBA noise contours of this airport; therefore, the noise-related impact due to airport activities would be less than significant and no mitigation is required.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required

(f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

The Project site is not in the vicinity of a private airstrip. No impacts related to private airstrips are anticipated, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No mitigation is required

This page intentionally left blank

4.13 POPULATION AND HOUSING

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a) Induce substantial 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 housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Impact Analysis:

(a) Would the Project induce substantial 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)?

The proposed Project includes the development of a gated residential community consisting of 70 single-family detached homes, which may slightly increase the residential population in the City. According to the California Department of Finance City/Population and Housing Estimates (May 2016), the average number of persons per dwelling unit in the City in 2015 was 3.73 persons. Based on the City's average occupancy rate of 3.73 persons per unit, the proposed Project would introduce approximately 261¹ persons into the Project area. The addition of 261 new residents would be approximately 0.15 percent of the 2010 population of 170,883 (U.S. Census Bureau 2010), 0.15 percent of the City's population in 2015 of 176,262 (California Department of Finance 2016), and 0.15 percent of the 2040 population of 178,200.²

The Project proposes to change the General Plan land use designation from Civic/Institutional to Low Density Residential, which allows for a maximum of 9 dwelling units per acre. The proposed Project would include approximately 7.8 dwelling units per acre, which would be less than the maximum allowed. The increase in population resulting from the proposed Project is not considered significant because it only comprises a small portion (less than 1 percent) of the total population of the City and does not represent a substantial increase in population.

In addition, the Regional Housing Needs Assessment Allocation Plan (RHNA), mandated by the California State Housing Element law, as part of the process of updating local housing elements of the General Plan, has quantified a range of housing needs by income groups for each jurisdiction during specific planning periods. According to the City's 2014–2021

¹ 70 dwelling units x 3.73 persons = 261.1

² Southern California Association of Governments, 2016–2040 Regional Transportation Plan/Sustainable Communities Strategy, Demographics and Growth Forecast, Table 11 Jurisdictional Forecast. April 2016.
http://scagtrpccs.net/Documents/2016/final/f2016RTPSCS_DemographicsGrowthForecast.pdf

General Plan Housing Element, SCAG has established a RHNA goal for the City to develop 747 new housing units by the year 2021. Of these 747 units, 164 would be set aside for Extremely Low/Very Low Income groups, 120 units for Low Income Groups, 135 for Moderate Income Groups, and 328 for Above Moderate Groups. The proposed Project would develop the Project site with 70 new market-rate housing units, which would help to meet the City's current housing needs and RHNA goal.

Additionally, the proposed Project is bordered on all sides by urban uses, including single- and multifamily residential, industrial, and commercial development. The Project does not propose to expand any surrounding utility infrastructure in the Project vicinity. Therefore, the proposed Project would not directly or indirectly induce population growth through the extension of roads or other infrastructure. Therefore, potential impacts related to substantial inducement of population growth, either directly or indirectly, would be less than significant, and no mitigation is required.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required

(b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

The Project site is currently developed with a church and school. No housing currently exists on the Project site, and housing displacement would not occur as a result of Project implementation. Therefore, the proposed Project would not displace substantial numbers of people, necessitating the construction of replacement housing elsewhere, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No mitigation is required

(c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

The Project site is currently developed with a church and school. No housing currently exists on the Project site, and no people would be displaced as a result of Project implementation. Therefore, the proposed Project would not displace substantial numbers of people, necessitating the construction of replacement housing elsewhere, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No mitigation is required

4.14 PUBLIC SERVICES*Would the project:*

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a) Would the project result in substantial adverse physical impacts associated with the provision of or 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:				
i) Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Impact Analysis:

- (a) (i) Would the project result in substantial adverse physical impacts associated with the provision of or 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?**

The GGFD provides fire protection and emergency services throughout the City. The GGFD provides a wide array of services to the community, including emergency medical service, fire suppression and prevention, response to hazardous and toxic material release, and technical rescue. The GGFD operates 7 fire stations and has 29 firefighters on duty daily. The GGFD's total emergency activity includes 25 percent fire protection and 75 percent emergency medical services (City of Garden Grove 2016).

The GGFD is divided into two primary divisions: the Fire Operations Division and the Administrative Services/Fire Marshal Division. The Fire Operations Division consists of the fire training and emergency services operations, whereas the Administrative Services/Fire Marshal Division consists of fire investigation activities and the Fire Prevention Bureau (i.e., plan check, public information, and public education services and activities).

Fire Station No. 3 is the closest fire station to the proposed Project site and is located at 12132 Trask Avenue. The Project site, which is northwest of the Lewis Street/Garden Grove Boulevard intersection, is approximately 1.3 mi northeast of Fire Station No. 3. Because of its location, Fire Station No. 3 would likely be the first to respond to a call for service at the Project site and would, therefore, be designated the "first-in" station. Fire Station No. 3 is equipped with one Paramedic Assessment Engine Company (consisting of a captain, engineer, firefighter, and paramedic) and one reserve engine company.

The GGFD is currently in the process of submitting plans for a new fire station to replace a single-bay fire station at Chapman Avenue and Debbie Lane. The new station is proposed to

be located at West Haven Park. There also are plans to increase staffing at Station No. 5, Station No. 3, and the Truck Company. While these stations do not directly serve the Project site, increased resources at these stations would ensure that the City continues to be able to meet Citywide response time goals.

In 2014, the GGFD responded to 12,349 calls for service with an average response time of 4 minutes, 47 seconds (City of Garden Grove 2015a). The City's current response time goal is no more than 8 minutes 90 percent of the time for firefighting services and no more than 6 minutes 90 percent of the time for emergency medical services (Spargur 2016). As such, the City is currently meeting its current response time goals. Written correspondence with the Operations Division Chief at the GGFD confirmed that the proposed Project would not significantly impact response times at the Project site.¹ As a residential Project, the proposed Project would not be anticipated to result in an excessive increase in calls for service. In addition, as discussed in Section 4.16 of this IS/MND, the proposed Project would not result in a substantial increase in traffic congestion or significant impacts at local intersections that would delay emergency vehicles. However, as previously stated, the GGFD is currently pursuing increased staffing efforts at several stations to ensure that response times will continue to meet or exceed response time goals for firefighting and emergency medical services.

In order to meet GGFD standards and to comply with the California Fire Code (in effect at the time of the application for the building permit) the proposed Project would include, but not be limited to, the following safety measures:

- All buildings on the Project site would include automatic fire sprinkler systems.
- The proposed Project would include the installation of three new on-site hydrants.
- Emergency vehicles would be able to enter and exit the Project site via the gated access driveway off Lewis Street and/or the gated access driveway on Garden Grove Boulevard. The gated access driveways shall be installed with emergency opening devices as approved by the GGFD.

Project compliance with requirements set forth in the Fire Code would provide fire protection for people and structures, as well as emergency medical services on site. In addition, as discussed in Section 4.16, the proposed Project would not result in a significant traffic impact to any study area intersections. Therefore, the proposed Project would not impair emergency response vehicles, and average response times in the area would remain within acceptable response time limits.

The proposed Project is a residential community, which would increase the number of on-site visitors and personnel. The addition of 70 residential units as a result of the proposed Project would result in a small increase in demand for fire protection services, but it would not trigger the need for new or altered facilities. No new facilities would be required to be constructed to accommodate the proposed Project. As stated above, the proposed Project would be designed to comply with all Fire Department access requirements and California

¹ Email correspondence with the Jeff Spargur, Division Chief-Operations, of the GGFD on Monday, November 7th, 2016.

Fire Code requirements, would not impair emergency response vehicles or increase response times, and would not substantially increase calls for service, thereby triggering the need for new or altered facilities. No mitigation is required.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required

- (a) (ii) **Would the project result in substantial adverse physical impacts associated with the provision of or 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: Police Protection?**

The GGPD provides police protection services throughout the City. The GGPD has one station located within the Civic Center Complex at 11301 Acacia Parkway, approximately 2.19 mi west of the Project site. Police service needs are determined by performing periodic analysis of various factors including officer-per-capita ratio, number of calls for service, and officer unstructured time.

The current GGPD staffing level is 159 officers to 176,262 residents, (California Department of Finance 2016) or a ratio of 0.90 GGPD staff per 1,000 residents.¹ Response times are calculated from time of dispatch to first officer on the scene. During the 2014–2015 Fiscal Year, the GGPD responded to 46,072 calls for service with an average response time of 4 minutes, 12 seconds for priority calls (City of Garden Grove 2015a).

As previously stated in Section 4.13, Population and Housing, the proposed Project would increase the City's population by 261 residents. When considered with the existing population, the Project-related population increase would have no impact on the GGPD's ratio of police officers per 1,000 residents.² Therefore, the increase in population associated with the proposed Project would be minimal compared to the number of police officers currently employed by the City, and would not trigger the need for new or physically altered police facilities. Although the proposed Project would incrementally contribute to demand for additional police protection services, impacts to police services would be less than significant, and no mitigation would be required.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required

- (a) (iii) **Would the project result in substantial adverse physical impacts associated with the provision of or need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to**

¹ City of Garden Grove, Police Department. <http://www.ci.garden-grove.ca.us/police> (accessed September 28, 2016).

² $176,262 \text{ (2015 population)} + 262 = 176,523 \text{ persons}$. $159 \text{ police officers per } 176,523 = 0.90 \text{ officers per } 1,000 \text{ residents}$.

maintain acceptable service ratios, response times or other performance objectives for any of the public services: Schools?

While the Project site is in the geographic boundaries of the City, the Project property is in the jurisdictional boundaries of Orange Unified School District (OUSD).¹ The OUSD currently serves approximately 30,000 students in grades kindergarten through 12. The OUSD's boundaries encompass all or part of the Cities of Anaheim, Garden Grove, Orange, Santa Ana, and Villa Park. The OUSD operates 49 schools/programs: 27 elementary schools, 6 middle schools, and 5 high schools, in addition to 11 additional schools and programs (e.g., alternative education, preschools, and continuing education). The closest elementary, middle, and high schools to the Project site are Lampson Elementary (0.42 mi northwest of the site), Portola Middle (1.97 mi northeast of the site), and Orange High School (3.16 mi northeast of the site).

The current student capacity for the schools nearest to the Project site are shown in Table 4.14.A, School Capacities and Enrollment.

Table 4.14.A: School Capacities and Enrollment

School	Grade	Current Enrollment ¹	Current Capacity ²	Resident Enrollment ³	Under Capacity
Lampson Elementary School	K–5	846	960	954	114
Portola Middle School	6–8	735	1,112	1,211	377
Orange High School	9–12	1,927	2,580	2,782	653

Source: Matthew Strother, Executive Director, Facilities and Planning, OUSD, written correspondence on October 7, 2016.

¹ Current enrollment includes the number of students actually attending the school in 2014–2015.

² Current capacity includes the school's current operating capacity or the number of students the school can serve while operating during the current calendar year.

³ Resident enrollment includes the total number of students living in the school's attendance area who are eligible to attend the school.

K = kindergarten

OUSD student generation rates for single-family residential units were used to analyze the estimated students generated as a result of Project implementation. Based on these generation factors, it is assumed that the 70 single-family units proposed would generate approximately 23 elementary school children, 5 middle school children, and 9 high school students (refer to Table 4.14.B, Projected School Enrollments).

Table 4.14.B: Projected School Enrollment

Grade Levels	Student Generation Factor	Projected Enrollment
Elementary School	0.325 students/unit	22.75 students
Middle School	0.063 students/unit	4.41 students
High School	0.123 students/unit	8.61 students

¹ Orange Unified School District (OUSD). https://www.orangeusd.org/news/2008/ORMaps_08.pdf (accessed November 18, 2016).

Table 4.14.B: Projected School Enrollment

Grade Levels	Student Generation Factor	Projected Enrollment
Total	-	35.77 students

Source: City of Orange. 2010 General Plan EIR.

Note: The Projected Enrollment is based on the proposed Project size of 70 detached residential units

The small increase in students projected as a result of Project implementation would incrementally increase the demand for school facilities. As illustrated by Tables 3.14.A and 3.14.B, the existing elementary, middle, and high schools serving the Project site would have sufficient capacity to serve the Project-related increase in school children. Furthermore, written correspondence with OUSD's Executive Director of Facilities and Planning confirmed that the District is not planning to construct new schools to serve the area because there is not currently a need for an additional school in the area, nor would implementation of the Project generate such a need for additional facilities.¹

Pursuant to California Education Code Section 17620(a)(1), the governing board of any school district is authorized to levy a fee, charge, dedication, or other requirement against any construction within the boundaries of the district for the purpose of funding the construction or reconstruction of school facilities. The Project Applicant would be required to pay such fees to reduce any impacts of new residential development on school services as provided in Section 65995 of the California Government Code. Pursuant to the provisions of Government Code Section 65996, a project's impact on school facilities is fully mitigated through payment of the requisite school facility development fees current at the time a building permit is issued. The current Development Impact Fee for residential projects in excess of 500 square feet within the OUSD's jurisdictional boundaries is \$3.20 per square foot. Therefore, with payment of the required fees, potential impacts to school services and facilities associated with implementation of the proposed Project would be less than significant, and no mitigation would be required.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required

- (a) (iv) **Would the project result in substantial adverse physical impacts associated with the provision of or 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: Parks?**

As discussed in Section 3.15, Recreation, the City maintains and operates 19 parks that account for 157 acres of parklands and recreational facilities. The closest park to the Project site is the Haster Basin Recreational Park, approximately 0.5 mi northwest of the Project site at 12952 Lampson Avenue. Amenities at this park include soccer fields, barbeques, bicycle

¹ Email correspondence with Matthew C. Strother, Friday, October 7th, 2016.

racks, exercise stations, park shelters, an improved jogging trail, a children's playground, and a small lake.

The current City Parks Recreation and Open Space Element requires the provision of 2 acres of parkland per 1,000 residents. As discussed above, development of the proposed Project would result in an increase of 261 new residents. The addition of 261 residents generated by the proposed Project would require 0.52 acres of parkland, which is 0.3 percent of existing park area in the City. The proposed Project includes a private park within the development consisting of 0.32 acres of recreation space reserved for the residents of the proposed Project (City of Garden Grove, 2008). The addition of new residents generated by the proposed Project could incrementally increase usage of City parks and recreational facilities. Although implementation of the proposed Project would cause an incremental increase in demand for parks, this increase would be offset by the inclusion of a 0.32-acre private recreational area to be located near the entrance of the residential community. This area would feature a playground, an open turf area, two covered barbeque dining areas, and a shade structure with bench seating. In addition, the City requires payment of an in-lieu fee for upgrades to existing parks. Therefore, impacts to parks and recreational facilities would be less than significant, and no mitigation is required.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required

- (a) (v) **Would the project result in substantial adverse physical impacts associated with the provision of or 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: Other Public Facilities?**

The City is served by the Orange County Public Library's Garden Grove Regional Branch at 11200 Stanford Avenue, as well as the Garden Grove Chapman Branch at 9182 Chapman Avenue. The Garden Grove Regional Library is currently 21,484 sf in size, has a collection of 96,335 materials, and serves a population of 118,724. The Garden Grove Chapman Library is currently 5,279 sf in size, has a collection of 29,638 materials, and serves a population of 28,638 (Fried 2016). Each branch is operated as a community resource providing library materials, computer access, meeting room space, and study areas.

As discussed above, development of the proposed Project would result in an increase of an estimated 261 new residents. Although implementation of the proposed Project would cause an incremental increase in demand for library facilities, this increase would be minimal, and impacts to library facilities would be less than significant. No mitigation would be required.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation would be required

4.15 RECREATION

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(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 checked="" type="checkbox"/>	<input 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"/>

Impact Analysis:

(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?

The City maintains and operates 14 park properties and uses 5 public schools as additional park facilities that account for approximately 157 acres of parklands and recreational facilities. The addition of approximately 261 residents generated by the proposed Project could incrementally increase usage of City parks and recreational facilities. The current City Parks Recreation and Open Space element requires 2 acres of parkland per 1,000 residents. The additional residents would require 0.52 acres of parkland, which is 0.3 percent of existing park area in the City. The proposed Project includes a private park within the development consisting of 0.32 acres of recreation space reserved for the residents of the proposed Project (City of Garden Grove, 2008).

Section 9.40.140 of the GGMC was adopted to implement the provisions of the Quimby Act (State of California Planning and Zoning Law, Section 66477), which allows the legislative body of a city to require the dedication of land for park facilities and/or the payment of in lieu fees for park and recreational purposes as a condition to the approval for a final tract map or parcel map for certain subdivisions. The proposed Project would increase the City's population by approximately 261 residents and would be subject to the dedication of land for park facilities and/or the payment of in-lieu fees for park and recreational purposes. GGMC Section 9.40.140, Dedication, states that the subdivider shall dedicate land or pay a fee in lieu of, or a combination of both, as a condition of approval for the purpose of providing parks and recreation facilities. The City will require the Applicant to pay fees as identified in Mitigation Measure REC-1. Therefore, with the provision of 0.32 acre of on-site open space and the payment of in-lieu park fees, impacts to recreation requirements would be less than significant. The proposed Project would not increase the use of existing neighborhood and regional parks or other recreation facilities such that substantial deterioration of the facilities would occur or be accelerated.

Significance Determination: Potentially Significant Impact

Mitigation Measure:

REC-1 Dedication Fees. Prior to issuance of any building permits , the Project Applicant shall provide proof to the Director of the City of Garden Grove Economic and Community Development Department, or designee, that payment of park fees to the City of Garden Grove has been made in accordance with the Development Agreement between the City of Garden Grove and the Project Applicant .

Significance Determination after Mitigation: Less than Significant Impact

(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?

The proposed Project includes a 0.32-acre neighborhood park, which would be available only to residents and their guests. The proposed Project would not include any recreational facilities that would be open to the general public. The construction of the proposed Project includes the 0.32-acre park, therefore, analysis of adverse physical effects of the park have been incorporated into other portions of this IS/MND. For example, irrigation of the neighborhood park was considered in Section 4.17, Utilities/Service Systems. Project impacts associated with an increase in water demand are considered less than significant. Therefore, the proposed Project does not include recreational facilities that would have an adverse effect on the environment.

The increase in population associated with the proposed 70-unit Project would be 261 residents. Based on the City's parkland requirement of 2 acres per 1,000 residents, the proposed Project would increase the demand for park land in the City by 0.52 acre. As previously mentioned, the applicant is required by the City to pay in-lieu park fees (Refer to Mitigation REC-1). The proposed Project does not involve the construction or expansion of recreational facilities beyond the 0.32 acre private park. Therefore, impacts related to construction or expansion of recreational facilities included in the proposed Project would be less than significant, and no mitigation is required.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required

4.16 TRANSPORTATION/TRAFFIC*Would the project:*

	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
(a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Substantially increase hazards due to a 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"/>
(e) Result in inadequate emergency access?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Impact Analysis:

The discussion and analysis provided in this section is based on the *Lewis Street Reorganization between the City of Garden Grove and the City of Orange (RO 17-01) and Residential Project Traffic Impact Analysis* (LSA; January 2017b) (refer to Appendix F of this IS/MND).

- (a) Would the Project conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?**

Construction. Vehicle trips that would be generated on a daily basis throughout each phase of construction would derive from construction workers and delivery of construction materials. The construction phase with the highest construction trip generation would be grading, which is anticipated to last 3 months (or approximately 60 construction days). Based on preliminary construction operation estimates and preliminary grading plans, grading the Project site would require approximately 6,000 cubic yards of cut and 23,000 cubic yards of fill. The construction of the proposed Project would require approximately 17,000 cubic

yards of soil import. Trucks with a 14-cubic-yard capacity are anticipated to be used. The total estimated number of trucks required for soil import is 1,215.

During peak excavation periods, the proposed Project construction is anticipated to generate up to 21 daily haul trucks (and 42 daily trips) that would be distributed throughout an 8-hour day. Assuming a passenger car equivalent (PCE) factor of 2.0 for haul trucks, 84 PCE construction trips are anticipated to be generated on a daily basis during this phase of Project construction, with approximately 11 PCE trips occurring each hour, during both the a.m. and the p.m. peak hours. The weekday a.m. peak period is 7:00 a.m. to 9:00 a.m. and the weekday p.m. peak period is 4:00 p.m. to 6:00 p.m. The majority of construction workers are anticipated to arrive and depart outside the peak hours, while delivery trucks would arrive and depart throughout the day.

As discussed in further detail below and shown in Table 4.16.B, Project build out would generate 666 daily trips (53 in the a.m. peak hour and 70 in the p.m. peak hour). The grading phase would generate fewer daily and peak-hour vehicle trips compared to the Project at build out (582 fewer daily trips, 42 fewer a.m. peak-hour trips, and 59 fewer p.m. peak-hour trips). Because application of the *City of Garden Grove Traffic Engineering Policy TE 18 Traffic Study Requirements for Development* (August 2006) and the *City of Orange Traffic Impact Analysis Guidelines* (August 2007) methodologies for determining the significance of traffic impacts concluded that the impacts due to Project traffic at build out would be less than significant, it is reasonable to conclude that traffic impacts related to construction of the Project, which generates fewer trips, would also be less than significant.

All construction equipment, including construction worker vehicles, would be staged on the Project site for the duration of the construction period. In addition, the proposed Project construction schedule would comply with GGMC Chapter 8.47, which limits construction activities to the hours between 7:00 a.m. and 10:00 p.m. when the Project site is within a residential area or within 500 ft of a residential area.

The Project would not conflict with any applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system. No mitigation is required.

Operation. Roadway performance is most often controlled by the performance of intersections, specifically during peak traffic periods. This is because traffic control at intersections interrupts traffic flow that would otherwise be relatively unimpeded except for the influences of on-street parking, access to adjacent land uses, or other factors resulting in interaction of vehicles between intersections. For this reason, traffic analyses for individual projects typically focus on peak-hour operating conditions for key intersections rather than roadway segments. Operating conditions at intersections are typically described in terms of level of service (LOS). LOS is a measure of a roadway's operating performance and is a tool used in defining thresholds of significance. LOS is described with a letter designation from A to F, with LOS A representing the best operating conditions (free-flow traffic) and LOS F the worst (traffic jammed).

Project-related traffic impacts were analyzed in the *Lewis Street Reorganization between the City of Garden Grove and the City of Orange (RO 17-01) and Residential Project Traffic Impact Analysis* (LSA; January 2017b) (refer to Appendix F of this IS/MND). The City reviewed the analysis. LOS was calculated using the intersection capacity utilization (ICU) methodology. The ICU methodology compares the volume-to-capacity (v/c) ratios of conflicting turn movements at an intersection, sums these critical conflicting v/c ratios for each intersection approach, and determines the overall ICU. The overall intersection ICU is then assigned an LOS value to describe intersection operations. A Project impact at a signalized intersection occurs when the LOS changes from acceptable LOS (LOS A through D) to LOS E or F, or if the Project increases the ICU by 0.01 or more at an already unacceptable LOS.

In addition to the ICU methodology of calculating signalized intersection LOS, the Highway Capacity Manual (HCM) 2010 methodology was used to determine the LOS at unsignalized study area intersections, which include the driveway to the Project site and the intersection of Lewis Street/El Rancho Avenue. The HCM 2010 unsignalized intersection methodology presents LOS in terms of control delay in seconds per vehicle. The resulting delay is expressed in terms of LOS, similar to the ICU methodology. A project impact at an unsignalized intersection occurs when the LOS changes from acceptable LOS (LOS A through D) to LOS E or F.

Table 4.16.A shows the LOS criteria for signalized and unsignalized intersections.

Table 4.16.A: Level of Service Criteria

LOS	Signalized ICU v/c ratio	Unsignalized HCM delay (seconds)
A	0.00–0.60	≤10.0
B	> 0.61–0.70	>10.0 and ≤15.0
C	> 0.71–0.80	>15.0 and ≤25.0
D	> 0.81–0.90	>25.0 and ≤35.0
E	> 0.91–1.00	>35.0 and ≤50.0
F	> 1.00	>50.0

Source: *Lewis Street Reorganization between the City of Garden Grove and the City of Orange (RO 17-01) and Residential Project Traffic Impact Analysis* (LSA; January 2017b).

HCM = Highway Capacity Manual 2010

ICU = Intersection Capacity Utilization

LOS = level of service

v/c = volume-to-capacity ratio

Traffic impacts were analyzed at the following three intersections (study area intersections):

- Lewis Street/Lampson Avenue-Metropolitan Drive
- Lewis Street/El Rancho Avenue
- Lewis Street/Garden Grove Boulevard

These study area intersections were selected for analysis because they are closest to the Project site and, therefore, have the greatest potential to have adverse traffic impacts related

to the Project. Further away from the Project site, Project-related traffic disperses and the potential for significant traffic impact diminishes. These anticipated traffic patterns, which were developed in coordination with City staff, showed that the Project would not contribute to more than 50 peak-hour trips beyond the study area, because the Project would not contribute to 50 or more peak-hour trips to the study area intersections beyond the Project driveway. Therefore, the City determined that only three intersections required analysis.

As required by the City, potential impacts were analyzed for the following traffic volume conditions:

- Existing
- Existing with Project
- Cumulative (2019)
- Cumulative Plus Project

Existing peak-hour traffic volumes were determined based on manual traffic counts conducted during the week of September 13, 2016, at the study area intersections during the weekday morning and afternoon commuter periods (7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m.) The Cumulative (2019) (without Project) traffic volumes were estimated based on a 1 percent annual ambient growth rate applied to the existing traffic volumes through the Project build-out year of 2019 (a total of 3 percent) and the trips associated with four cumulative projects identified by the City of Orange Planning Department in August 2016.

Weekday peak hour and daily traffic volumes for the proposed residential development were estimated using trip rates published in the Institute of Transportation Engineers (ITE) Trip Generation Manual (2012). As shown in Table 4.16.B, the proposed Project would generate 53 a.m. peak-hour trips (14 inbound trips and 39 outbound trips) and 70 p.m. peak-hour trips (44 inbound trips and 26 outbound trips). The proposed Project is forecast to generate 666 daily trips (333 inbound trips and 333 outbound trips) on a typical weekday.

Table 4.16.B: Project Trip Generation

Land Use	Units	Daily Trip Volumes ¹	AM Peak Hour Volumes ¹			PM Peak Hour Volumes ¹		
			In	Out	Total	In	Out	Total
Trip Rate								
Single Family ²		9.52	0.19	0.56	0.75	0.63	0.37	1.00
Proposed Project								
Single Family ²	70 DU	666	14	39	53	44	26	70

Source: *Lewis Street Reorganization between the City of Garden Grove and the City of Orange (RO 17-01) and Residential Project Traffic Impact Analysis (LSA; January 2017b)*.

¹ Trips are one-way traffic movements, entering or leaving the Project site.

² ITE Land Use Code 210 (Single Family Detached) trip generation average rates

DU = dwelling unit

ITE = Institute of Transportation Engineers

As shown in Tables 4.16.C and 4.16.D, based on the City intersection impact significance criteria, the additional trips generated by the proposed Project would not result in a significant

impact at any of the three study area intersections for the existing (2016) or cumulative (2019) conditions. Therefore, the proposed Project would not conflict with any applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system. No mitigation is required.

Table 4.16.C: Existing (2016) Volume-to-Capacity Ratios and Level of Service for the AM and PM Peak Hours for the Without Project and With Project Conditions

No	Intersection	Peak Hour	Year 2016 Existing Without Project		Year 2016 Existing With Project		Change in v/c /delay	Significant Impact?
			v/c /delay	LOS	v/c /delay	LOS		
1	Lewis Street/Lampson Avenue/Metropolitan Drive	AM	0.57	A	0.57	A	0.00	No
		PM	0.67	B	0.68	B	0.01	No
2	Lewis Street/El Rancho Avenue	AM	16.3 sec	C	26.8 sec	D	10.5 sec	No
		PM	18.3 sec	C	27.2 sec	D	8.9 sec	No
3	Lewis Street/Garden Grove Boulevard	AM	0.74	C	0.74	C	0.00	No
		PM	0.74	C	0.75	C	0.01	No

Source: *Lewis Street Reorganization between the City of Garden Grove and the City of Orange (RO 17-01) and Residential Project Traffic Impact Analysis (LSA; January 2017b).*

LOS = level of service

sec = seconds

v/c = volume-to-capacity ratio

Table 4.16.D: Future (2017) Volume-to-Capacity Ratios and Level of Service for the AM and PM Peak Hours for the Without Project and With Project Conditions

No	Intersection	Peak Hour	Year 2019 Cumulative Without Project		Year 2019 Cumulative With Project		Change in v/c /delay	Significant Impact?
			v/c /delay	LOS	v/c /delay	LOS		
1	Lewis Street/Lampson Avenue/Metropolitan Drive	AM	0.61	B	0.61	B	0.00	No
		PM	0.69	B	0.69	B	0.00	No
2	Lewis Street/El Rancho Avenue	AM	16.9 sec	C	29.4 sec	D	12.5 sec	No
		PM	19.4 sec	C	29.5 sec	D	10.1 sec	No
3	Lewis Street/Garden Grove Boulevard	AM	0.77	C	0.77	C	0.00	No
		PM	0.78	C	0.79	C	0.01	No

Source: *Lewis Street Reorganization between the City of Garden Grove and the City of Orange (RO 17-01) and Residential Project Traffic Impact Analysis (LSA; January 2017b).*

LOS = level of service

sec = seconds

v/c = volume-to-capacity ratio

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required.

- (b) Would the Project conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?**

The 2015 Orange County Congestion Management Program (Orange County Transportation Authority [OCTA]; November 2015) Appendix B-2 provides criteria for projects not requiring additional analysis of traffic impacts to Congestion Management Program (CMP) monitored facilities. According to the criteria, projects generating fewer than 2,400 daily trips are below the threshold for a CMP analysis. The reason given is that below this threshold, Project traffic could not trigger a significant impact, which is defined as using 3 percent or more of existing capacity. No CMP intersections are located near the Project site or within the study area.

The weekday peak-hour and daily trip generation for the proposed Project was based on trip rates contained in the ITE Trip Generation Manual (2012). As shown in Table 4.16.B, the proposed Project would generate 666 daily trips. Pursuant to the CMP, the proposed Project is not required to conduct a CMP Traffic Impact Analysis because the Project traffic is not expected to use 3 percent or more of existing capacity.

Therefore, the proposed Project would not conflict with any applicable CMP, including LOS standards, travel demand measures, or other standards by the Congestion Management Agency (OCTA) for roads or highways. No mitigation is required.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required

- (c) Would the Project result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?**

The Project site is located approximately 8 mi from Fullerton Municipal Airport and approximately 6.5 mi from John Wayne Airport. However, the proposed Project is not located within the flight paths for these airports and is not located in an Airport Hazard Area. Therefore, the Project site would not result in a change to air traffic patterns, or a change in location that results in substantial safety risk. No mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No mitigation is required

- (d) Would the Project substantially increase hazards due to a design feature (e. g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?**

Vehicular traffic to and from the Project site would utilize the existing network of regional and local roadways that serve the Project site area. Access to the Project site would be provided via a new full-access driveway with gated entry that would create the fourth leg of the Lewis Street/El Rancho Avenue intersection. The driveway was found to operate at satisfactory

LOS C or D for all scenarios. The Project includes gated access near the driveway. The gate would be electronically controlled and would be designed to meet the City's standard gate entry requirements. Residents would have remote controls to open the gate. In addition, a call box would ring to residents' phones to provide guest access. The *Lewis Street Reorganization between the City of Garden Grove and the City of Orange (RO 17-01) and Residential Project Traffic Impact Analysis* (LSA; January 2017b) included an analysis of the gate operation and determined that the gate for Project vehicles requires a reservoir of 22 ft (i.e., one vehicle), and the control box in the inside lane also requires a reservoir of 22 ft. Approximately 76 ft will be provided between the inbound gate and Lewis Street and approximately 45 ft will be provided between the control box and Lewis Street. Therefore, the gated entry would have sufficient length for inbound Project vehicles to avoid the potential hazard of vehicles backing onto Lewis Street while waiting at the gate.

A sight distance analysis was conducted along Lewis Street at the proposed location of the Project driveway at Lewis Street/El Rancho Avenue to ensure driver visibility and safety. In the Project vicinity, the Lewis Street speed limit is 40 mph. According to Table 6C-2 of the California Manual on Uniform Traffic Control Devices (CAMUTCD), the stopping sight distance for a roadway with the speed limit of 40 mph is 305 ft. The *Lewis Street Reorganization between the City of Garden Grove and the City of Orange (RO 17-01) and Residential Project Traffic Impact Analysis* (LSA; January 2017b) identified sight distance at the Project driveway of approximately 650 ft looking to the north (left) and 450 ft looking to the south (right). Therefore, the Project driveway would meet the minimum sight distance requirements specified in the CAMUTCD.

Therefore, the proposed Project would not substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment), and no mitigation is required.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required

(e) Would the Project result in inadequate emergency access?

Construction. As discussed under Response 4.8(g), the proposed Project would require temporary lane closures on Lewis Street to relocate the gas and water lines. Temporary lane closures would be implemented consistent with the recommendations of the California Joint Utility Traffic Control Manual. Among other things, the manual recommends early coordination with affected agencies to ensure that emergency vehicle access is maintained. In this manner, officials could plan and respond appropriately in the event emergency vehicles would be required to access Lewis Street. In addition, as described in Mitigation Measure HAZ-3, the Project Applicant/Developer would be required to prepare and implement a Construction Staging and Traffic Management Plan, which would be subject to the approval of the Director of the City of Garden Grove Department of Public Works, or designee. The Construction Staging and Traffic Management Plan would require certain conditions (e.g., providing warning signs, lights, and devices) and would require that the City of Garden Grove Police Department be notified a minimum of 24 hours in advance of any lane closures

or roadway work. Therefore, with implementation of Mitigation Measures HAZ-3, impacts to emergency access during construction would be reduced to a less than significant level. No additional mitigation is required.

Operation. As discussed in Section 2.0, Project Description, emergency vehicles would be able to enter and exit the Project site via the gated-access driveway off Lewis Street or the gated-access driveway off Garden Grove Boulevard. The gate control would be operable by a Knox emergency override key switch. In addition, a remote gate-opening device would be installed on both electronically operated gates. The remote opening systems currently available from the OCFA are either optical or radio-controlled. The gated entry would be equipped with automatic entry for the police and fire departments during an emergency. Therefore, implementation of the proposed Project would not result in inadequate emergency access, and no mitigation is required.

Significance Determination: Potentially Significant

Mitigation Measures: Refer to Mitigation Measure HAZ-3

Level of Significance after Mitigation: Less than Significant

- (f) **Would the Project conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities supporting alternative transportation (e.g., bus turnouts, bicycle racks)?**

The Project would not affect adopted policies supporting alternative transportation and would be subject to compliance with policies, plans, and programs of the City and other applicable agencies regarding alternative modes of transportation. Pedestrians accessing the Project may use pedestrian facilities (e.g., sidewalks and crosswalks) that are part of the surrounding street system. The Project incorporates a continuous system of sidewalks within the Project site. Safe access to the public street system (via Lewis Street and Garden Grove Boulevard) would be provided. Sidewalks are currently provided on both sides of Lewis Street. The intersection of Lewis Street and Garden Grove Boulevard provides connection points to OCTA Routes 47, 56, and 454. The Project would not remove or relocate any alternative transportation access points.

As discussed in Section 4.8(g), the proposed Project would require temporary lane closures on Lewis Street to relocate the gas and water lines. No lane closures on Garden Grove Boulevard are anticipated. Temporary lane closures would be implemented consistent with the recommendations of the California Joint Utility Traffic Control Manual which recommends that the needs of operators of commercial vehicles such as busses be assessed and appropriate coordination and accommodations made. In addition, as described in Mitigation Measure HAZ-3, the Project Applicant/Developer would be required to prepare and implement a Construction Staging and Traffic Management Plan, which would be subject to the approval of the Director of the City of Garden Grove Department of Public Works, or designee. The Construction Staging and Traffic Management Plan would require that OCTA be provided with advance notice of any temporary lane closures that could necessitate detours

in order to ensure that bus service is maintained in vicinity of the Project site. With implementation of Mitigation Measure HAZ-3, potential disruptions to transit service would be minimized. Therefore, the Project does not conflict with adopted plans, policies, or programs supporting alternative transportation, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No mitigation is required

4.17 UTILITIES/SERVICE SYSTEMS

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Require or result in the construction of new 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"/>
(c) Require or result in the construction of new storm water drainage 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"/>
(d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e) 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"/>
(f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(g) Comply with federal, state, and local statutes and regulations related to solid wastes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Impact Analysis:

(a) Would the Project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

The proposed Project is not a wastewater treatment facility and is not subject to the wastewater treatment requirements of the Santa Ana RWQCB.

Local governments and water districts are responsible for complying with federal regulations, both for wastewater plant operation and the collection systems (e.g., sanitary sewers) that convey wastewater to the wastewater treatment facility. Proper operation and maintenance is critical for sewage collection and treatment because impacts from these processes can degrade water resources and affect human health. For these reasons, publicly owned treatment works (POTWs) receive Waste Discharge Requirements (WDRs) to ensure that such wastewater facilities operate in compliance with the water quality regulations set forth by the State. WDRs, issued by the State, establish effluent limits on the kinds and quantities of pollutants that POTWs can discharge. These permits also contain pollutant monitoring, record-keeping, and reporting requirements. Each POTW that intends to discharge into the nation's waters must obtain a WDR prior to initiating its discharge.

Implementation of the proposed Project involves the demolition of an existing church and school and the construction of 70 single-family residential units. As discussed in Response 4.17.b, the Project site is in the sewer service area of the Orange County Sanitation District's

Plant No. 1 in Fountain Valley. This facility is responsible for disposal of treated wastewater. Because Plant No. 1 is considered a POTW, operational discharge flows treated at this plant would be required to comply with applicable WDRs issued by the Santa Ana RWQCB. Compliance with conditions or permit requirements established by the City as well as WDRs outlined by the Santa Ana RWQCB would ensure that wastewater discharges from the Project site and treated by the wastewater treatment facility system would not exceed applicable Santa Ana RWQCB wastewater treatment requirements. In addition, as discussed in Response 4.17.b, the proposed Project is anticipated to generate an additional 27,847 gallons of wastewater per day (gpd), which is approximately 0.01 percent of the available daily treatment capacity at Plant No. 1 and 0.01 percent of the available daily treatment capacity at Plant No. 2. Additionally, wastewater generated from the proposed Project would be typical of residential wastewater flows in the City and of existing flows from the Project site. Therefore, the increased wastewater flows from the proposed Project can be accommodated within the existing design capacity of Plant No. 1 and would not result in Plant No. 1 exceeding its wastewater treatment requirements. Therefore, impacts related to wastewater treatment requirements would be less than significant and no mitigation is required.

Significance Determination: Less than Significant Impact

Mitigation Measures: No Mitigation is Required

(b) Would the Project require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Water. The City's main sources of water supply are groundwater from the Lower Santa Ana River Groundwater Basin and imported water from the Metropolitan Water District of Southern California provided by the Municipal Water District of Orange County. Today, the City relies on 72 percent groundwater and 28 percent imported (City of Garden Grove 2015b). It is projected that by 2040, the water supply mix would remain roughly the same. This imported water is treated at both the Robert B. Diemer Filtration Plant located north of Yorba Linda and the F.E. Weymouth Treatment Plant in the City of La Verne.

Delivery of domestic water service in the City is provided by the Water Services Division of the City's Public Works Department. The Water Services Division is responsible for maintaining the wells, reservoirs, import water connections, and the distribution systems that deliver water throughout the City. To meet its infrastructure needs, the Water Services Division collaborates with other jurisdictions, agencies, and service providers, as required.

The City's water supply system provides reliable service to a population of nearly 176,649 within the service area. According to the City's 2015 Urban Water Management Plan (UWMP; 2015b), the total projected water demand for the retail customers served by the City annually is approximately 26,055 acre feet (af) annually. The City consumed approximately 24,049 af in 2015, and the projected water demand for 2020 is 24,078 af per year. According to the 2015 UWMP, the City's water supplies are projected to meet full service demands.

The proposed Project would develop the site with 70 single-family residential units, which would equate to a projected water demand of 30,940 gpd (34.7 af annually) using the baseline water use rate in the 2015 UWMP.¹ Therefore, the estimated increase in water demand associated with new development proposed as part of the Project would represent 0.14 percent of the City's current annual water demand, based on the City's consumption of 14,049 af in 2015.

As such, the proposed Project would not necessitate new or expanded water entitlements, and the City would be able to accommodate the increased demand for potable water. In addition, the proposed Project would implement a number of water conservation measures, including low-flow toilets, low-flow showerheads, low-flow kitchen faucets, and tankless water heaters that would further reduce the water demand as a result of the proposed Project. Therefore, Project impacts associated with an increase in potable water demand are considered less than significant, and no mitigation would be required.

Wastewater. The Garden Grove Sanitary District is the primary agency responsible for the refuse and sewer facilities in the City. Garden Grove Sanitary District maintains wastewater treatment and collection operations via the City's Water Services Division of the Public Works Division. The Sanitation Section maintains over 312 mi of sewer lines, 9700 manholes, and four lift stations throughout the City. However, once wastewater passes through the City's wastewater system, the Orange County Sanitation District (OCSD) is responsible for its treatment.

OCSD is responsible for the collection, treatment, and disposal of domestic, commercial, and industrial wastewater generated by over 2.5 million people living and working in the central and northwestern County of Orange. OCSD facilities would receive wastewater generated from the proposed Project. Wastewater from the proposed Project would be treated at OCSD's Plant No. 1 in Fountain Valley or at Plant No. 2 in Huntington Beach. Through these facilities, OCSD successfully collects, conveys, and treats wastewater generated daily in its service area before discharging the treated water into the Pacific Ocean. Average flows for Plant No. 1 and Plant No. 2 are 117 million gallons per day (mgd) and 67 mgd, respectively.² The combined average flow at both plants is 184 mgd. Plant No. 1 has a design capacity of 320 mgd, with average daily flow of 117 mgd. Plant No. 2 has an average daily flow of 67 mgd, with a design capacity of 312 mgd (City of Garden Grove 2015b).

Wastewater generation for the Project is assumed to be 90 percent of the Project's water demand, to account for evaporation and absorption losses. The proposed Project would generate 27,846 gpd of wastewater. The proposed Project includes the installation of a new 8-inch sanitary sewer line that would connect to an existing 8-inch sanitary sewer line in Garden Grove Boulevard. The Project site is currently developed and adequately served by the existing wastewater conveyance system. As part of the building permit process, the City of Garden Grove would confirm and ensure that there is sufficient capacity in the local and trunk lines to accommodate the Project's wastewater flows. In the unlikely event that the

¹ Table 1. Water Use Factors from Survey of Water Agencies in Orange County (FY 2013-2014), Garden Grove.

² Orange County Sanitation Districts, Regional Sewer Service, Facts and Key Statistics, <http://www.ocsd.com/services/regional-sewer-service>, (accessed November 15, 2016).

public sewer has insufficient capacity, then the Developer would be required to build sewer lines to a point in the sewer system with sufficient capacity. A final approval for sewer capacity and connection permit would be made at that time. The proposed Project would also pay any required sewer connection fees.

The proposed Project is anticipated to generate an additional 27,846 gpd, which is approximately 0.01 percent of the available daily treatment capacity at Plant No. 1 and 0.01 percent of the available daily treatment capacity at Plant No. 2. Both Plants are in compliance with the Santa Ana RWQCB's wastewater treatment requirements and have the capacity to accommodate the increased wastewater flows from the proposed Project. Therefore, development of the proposed Project would not require, nor would it result in, the construction of new wastewater treatment or collection facilities or expansion of existing facilities other than those facilities to be constructed on site, which could cause significant environmental effects. Project impacts related to the construction of wastewater treatment or collection facilities would be less than significant, and no mitigation would be required.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required

(c) Would the Project require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

The City is a co-permittee on the North Orange County MS4 Permit issued by the Santa Ana RWQCB pursuant to the NPDES program under Section 402(p) of the federal Clean Water Act. The MS4 Permit regulates urban storm water runoff, surface runoff, and drainage that flow into the MS4 system. The City's storm water drainage system flows into facilities that are owned, operated, and maintained by the Orange County Flood Control District. In compliance with the MS4 Permit, the City is responsible for regulating inflows to and discharges from its municipal storm drainage system. Specifically, the City's Public Works/Environmental Compliance Division is charged with the task of ensuring the implementation of the MS4 Permit requirements within the City.

As discussed further in Section 4.9, Hydrology and Water Quality, storm water flows in a southerly direction on the Project site via surface flow toward Garden Grove Boulevard. Runoff then flows west along Garden Grove Boulevard where it enters the storm drain system, which connects to the East Garden Grove-Wintersburg Channel and ultimately the Pacific Ocean. According to the *Preliminary Hydrology Report* (Fuscoe Engineering, 2016b), the proposed Project would permanently decrease the on-site impervious surface area by 0.53 acre compared to the existing condition, which would reduce peak flow rate from the Project site by 0.74 cfs for a 25-year storm event. In addition, Site Design, Source Control, and LID BMPs would increase infiltration and reduce the rate and amount of surface runoff from the Project site. Lower storm water flows would flow within the pervious pavers where it would infiltrate into the soil. Higher flows would sheet flow over the on-site streets or along the on-site curbs before entering one of two culverts in the southwest corner of the Project site, where it would flow east along Garden Grove Boulevard until it enters the storm drain

system, which connects to the East Garden Grove-Wintersburg Channel and ultimately the Pacific Ocean. Because the proposed Project would reduce peak flows being discharged to the downstream storm drain system, the proposed Project would not contribute additional runoff to the downstream storm water drainage facilities or cause the expansion of existing facilities, and no mitigation would be required.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required

(d) Would the Project have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

Refer to Response 4.17(b). The relatively moderate increase in water use from implementation of the proposed Project would represent approximately 0.14 percent of the City's annual water demand. The proposed Project would not necessitate new or expanded water entitlements, and the City would be able to accommodate the increased demand for potable water. Therefore, incremental water demand increases from the proposed Project would have sufficient water supplies available to serve the Project from existing entitlements and resources and would not require new or expanded entitlements. Therefore, impacts related to water supplies would be less than significant, and no mitigation would be required.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required

(e) Would the Project 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?

Refer to Response 4.17(b). Although the proposed Project would increase wastewater demand on site, the increased wastewater flows from the proposed Project can be accommodated within the existing design capacity of the treatment plants that currently serve the City. Therefore, the wastewater treatment provider would have adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments. Therefore, impacts related to wastewater generation are less than significant, and no mitigation would be required.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required

(f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

The Project site is located within OC Waste & Recycling's (OCWR) service area. OCWR administers the countywide Integrated Waste Management Plan. OCWR owns and operates three active landfills (i.e., the Olinda Alpha Landfill in Brea, the Frank R. Bowerman Landfill

in Irvine, and the Prima Deshecha Landfill in San Juan Capistrano), as well as four household hazardous waste collection centers. All three landfills are permitted as Class III landfills. Class III landfills accept all types of nonhazardous municipal solid waste for disposal.¹

Within the City, collection of solid waste is contracted to Republic Services. Republic Services collects solid waste, green waste (e.g., grass clippings and tree and shrub clippings), and items for recycling. The company provides three different carts for automated collection of trash, recyclables, and green waste. By providing these three carts, the City aims to encourage residents and businesses to reduce the amount of solid wastes that enter the aforementioned regional landfills.

Olinda Alpha Landfill at 1942 North Valencia Avenue in Brea is the closest OCWR landfill to the Project site and would provide waste disposal for the proposed Project once operational. This landfill is permitted to accept up to 8,000 tons of solid waste per day (tpd) and currently accepts a daily average of approximately 5,000 tpd.² The anticipated closure date for the landfill is 2021. Non-hazardous waste from Project construction activities would be recycled to the extent feasible, and where necessary, would be disposed of at the Olinda Alpha Landfill.³ Construction waste is anticipated to be minimal compared to waste generated throughout the lifetime of the Project during Project operation. The proposed Project would generate approximately 0.34 tons of solid waste per day during Project operation.⁴ The incremental increase of solid waste generated by the proposed Project would constitute approximately 0.01 percent of the remaining daily available capacity (3,000 tpd) at the Olinda Alpha Landfill. Therefore, solid waste generated by the proposed Project would not cause the capacity of the Olinda Alpha Landfill to be exceeded. The proposed Project would result in a less than significant impact to solid waste and landfill facilities, and no mitigation would be required.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required

(g) Would the Project comply with federal, state, and local statutes and regulations related to solid wastes?

The California Integrated Waste Management Act (AB 939) changed the focus of solid waste management from landfill to diversion strategies (e.g., source reduction, recycling, and composting). The purpose of the diversion strategies is to reduce dependence on landfills for solid waste disposal. AB 939 established mandatory diversion goals of 25 percent by 1995

¹ Orange County Waste and Recycling, Landfill Information, <http://oclandfills.com/landfill>, (accessed November 15, 2016).

² Orange County Waste and Recycling, Questions and Answers About the Olinda Landfill, http://oclandfills.com/landfill/active/olindalandfill/olinda_q_n_a, (accessed November 15, 2016).

³ Hazardous waste during Project construction would be required to be disposed of at one of the four hazardous waste collection centers operated by OCWR.

⁴ 70 Single-Family Residential Units * 9.8 lbs per dwelling unit per day (generation rate obtained from CalRecycle, Estimated Solid Waste Generation and Disposal) => 686 pounds per day (the equivalent of 0.34 tons).

and 50 percent by 2000. According to the City's General Plan Conservation Element, in 2005, approximately 199,737 tons of waste produced by the City was disposed in a landfill while 64 tons were burned at a waste-to-energy facility. Of this, household disposal consisted of 52 percent of waste disposal while business disposal consisted of 48 percent. The City provides curbside recycling for both residential and commercial uses, which counts toward the City's solid waste diversion rate. The City also collects curbside residential green waste, which also counts toward the City's diversion rate. In addition, the City currently offers free recycling to all businesses within the City.

The proposed Project would comply with existing and future statutes and regulations, including waste diversion programs mandated by City, State, or federal law. In addition, as discussed above, the proposed Project would not result in an excessive production of solid waste that would exceed the capacity of the existing landfill serving the Project site. Therefore, the proposed Project would not result in an impact related to federal, State, and local statutes and regulations related to solid wastes, and no mitigation would be required.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required

This page intentionally left blank

4.18 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:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(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)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- (a) **Would the project cause a substantial adverse change in the significance of a tribal cultural resource 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)?**
- (b) **Would the project cause a substantial adverse change in the significance of 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?**

The following responses address the thresholds in 4.18.a and 4.18.b.

Chapter 532, Statutes of 2014 (i.e., 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."

Also 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.

The Native American Heritage Commission (NAHC) was contacted on August 12, 2016, and a Sacred Lands File (SLF) was requested for the Project, as was a list of potential Native American contacts for consultation. The NAHC responded on August 15, 2016, to say that the SLF search was negative for the Project area. The NAHC provided a Tribal Consultation List that included the following 20 Native Americans to be contacted:

- Gabrielino/Tongva Nation, Sandonne Goad, Chairperson
- Agua Caliente Band of Cahuilla Indians, Jeff Grubbe, Chairperson
- Gabrielino Tongva Indians of California Tribal Council, Robert Dorame, Chairperson
- Campo Band of Mission Indians, Ralph Goff, Chairperson
- Gabrielino Tongva Tribe, Linda Candelaria, Co-Chairperson
- Ewiiapaayp Tribal office, Robert Pinto, Chairperson
- Jamul Indian Village, Erica Pinto, Chairperson
- Gabrieleno Band of Mission Indians – Kizh Nation, Andrew Salas, Chairperson
- Juaneño Band of Mission Indians, Sonia Johnston, Chairperson
- Gabrieleno/Tongva San Gabriel Band of Mission Indians, Anthony Morales, Chairperson
- Juaneño Band of Mission Indians Acjachemen Nation – Belardes, Matias Belardes, Chairperson
- Juaneño Band of Mission Indians Acjachemen Nation – Romero, Teresa Romero, Chairperson
- San Pasqual band of Mission Indians, Allen E. Lawson, Chairperson
- La Posta band of Mission Indians, Gwendolyn Parada, Chairperson
- Soboba Band of Luiseño Indians, Rosemary Morillo, Chairperson
- La Posta Band of Mission Indians, Javaughn Miller, Tribal Administrator
- Sycuan Band of the Kumeyaay Nation, Cody J. Martinez, Chairperson
- Manzanita band of Kumeyaay, Angela Elliot Santos, Chairperson
- Viejas Band of Kumeyaay Indians, Robert J. Welch, Chairperson
- Mesa Grande Band of Mission Indians, Virgil Oyos, Chairperson

The City sent letters for the purposes of SB 18¹ and AB 52 consultation to all of the people listed above on September 1, 2016.

In a letter dated September 26, 2016, Mr. Salas, Chairperson, Gabrieleno Band of Mission Indians – Kizh Nation, requested AB 52 consultation with the City regarding the proposed Project. Mr. Salas stated that the Project lies within the ancestral territories of the Kizh

¹ SB 18 (Chapter 905, Statutes of 2004) requires cities and counties to contact and consult with California Native American tribes prior to amending or adopting any general plan or specific plan, or designating land as open space.

Gabrieleno, and requested that a certified Native American monitor from that group be present during all ground-disturbing activities. Mr. Salas also suggested the City contact him to conduct consultation by phone or face-to-face meeting. City staff communicated with Mr. Salas via phone and email and Mr. Salas provided a request for monitoring to occur during grading activities.

One additional response was received from Ernest Pingleton with the Viejas Band of Kumeyaay Indians. In a letter to the City dated September 28, 2016, Mr. Pingleton stated that the Tribe has reviewed the Project information and at this time the Project has little significance or ties to the Viejas Band of Kumeyaay Indians. He recommended contacting tribes closer to the Project vicinity but would also like to be notified of any discoveries so that the Tribe can reevaluate its participation in the government-to-government consultation process.

Attempts at follow-up communication in the form of phone calls and emails were made on September 28, 2016, to the remaining 18 people who had not responded to the letter, asking them to respond if they have concerns. An additional email with the text of the letter and Project location map was sent to Teresa Romero, Juaneño Band of Mission Indians Acjachemen Nation, on October 17, 2016. No additional responses or requests for consultation have been received.

As discussed in Section 4.5.a, the property does not meet any of the California Register criteria and the existing buildings on the Project site do not qualify as “historical resources” as defined by CEQA. Therefore, the proposed Project would not cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5 of the State CEQA Guidelines or PRC 5020.1(k).

As discussed in Section 4.5.b, according to the records search conducted at the SCCIC, one prehistoric site, P-30-392, was previously recorded nearly 0.5 mile southwest of the current Project, while a historic single-family residence built in 1948, P-30-177026, is recorded on Lewis Street just north of the Project area. While the residence still exists, the prehistoric site was destroyed by development. While areas surrounding the Project site have been surveyed in the past, the Project site was not previously surveyed for archaeological resources. As such, no previously recorded prehistoric or historic resources have been identified as a result of past on-site surveys.

On August 24, 2016, LSA archaeologist Mr. Strudwick conducted a pedestrian survey of the Project site. The Archaeological survey concluded that there is little potential for the proposed Project to impact prehistoric resources due to significant prior disturbance from past grading and development activities. In the unlikely event archaeological resources are discovered at any time during construction, those activities would be halted in the vicinity of the find until it can be assessed for significance by a qualified archaeologist (Mitigation Measure CUL-1). Implementation of Mitigation Measure CUL-1 would reduce any potential impacts to previously undiscovered archaeological resources to a less than significant level.

As noted above, Mr. Salas, Chairperson, Gabrieleno Band of Mission Indians – Kizh Nation stated that the Project lies within the ancestral territories of the Kizh Gabrieleno, and requested that a certified Native American monitor from that group be present during all ground-disturbing activities. While Mr. Salas did not present any evidence that the proposed Project would result in a substantial adverse change in the significance of a tribal cultural resource, defined in PRC

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 that is listed or eligible for listing in the California Register, or in a local register of historical resources as defined in PRC section 5020.1(k), the City agreed to require Native American monitoring during ground disturbing activities in native soils. Mitigation Measure TCR-1 requires the presence of a Native American monitor during grubbing, earthmoving, and trenching activities that extend into native soils, as requested during the consultation processes conducted for the Project. Implementation of Mitigation Measure TCR-1 would reduce any potential impacts to previously undiscovered tribal cultural resources to a less than significant level. Therefore, on this basis and as a result of the City's consultation with the Gabrieleno Band of Mission Indians – Kizh Nation, the City has concluded that, with implementation of Mitigation Measure TCR-1, potential impacts related to unknown buried tribal cultural resources would also be reduced below a level of significance.

Significance Determination: Potentially Significant Impact

Mitigation Measures:

- TCR-1 Tribal Cultural Resources: Monitoring Procedures.** Prior to commencement of any grubbing or grading activities, the Project Applicant/Developer shall present evidence to the City of Garden Grove Director of the Economic and Community Development Department, or designee, that a qualified Native American monitor has been retained to provide Native American monitoring services for any construction activities that may disturb native soils. The Native American monitor shall be selected by the Project Applicant/Developer from the list of certified Native American monitors maintained by the Gabrieleno Band of Mission Indians – Kizh Nation. The Native American monitor shall be present at the pre-grading conference to establish procedures for tribal cultural resource surveillance. Those procedures shall include provisions for temporarily halting or redirecting work to permit sampling, identification, and evaluation of resources deemed by the Native American monitor to be tribal cultural resources as defined in Public Resources Code section 21074. These procedures shall be reviewed and approved by the City of Garden Grove Director of the Economic and Community Development Department, or designee, prior to commencement of any surface disturbance on the Project site.

Level of Significance after Mitigation: Less than Significant Impact

4.19 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, 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 type="checkbox"/>	<input checked="" 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"/>

Impact Analysis:

- (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?

The Project site is currently developed and is located in an urban area. No portion of the Project site or the immediately surrounding area contains an open body of water that serves as natural habitat in which fish could exist. Likewise, the Project site is not suitable to support special-status species, and no known candidate, sensitive, or special-status species are known to inhabit the site. Due to the urban nature of the site and limited on-site landscaping, impacts to candidate, sensitive, or special-status plant and animal species would be less than significant. Based on the Project Description and the preceding responses, development of the proposed Project does not have the potential to degrade the quality of the natural environment. Implementation of the proposed Project would include the removal of some non-native landscaping. The proposed Project would include the planting of a variety of trees along the east and south perimeter of the Project site, as well as in the interior of the site. The proposed Project would also include shrubs and areas of grasses and turf on site. The existing on-site trees may, however, provide suitable habitat for nesting birds, some of which are protected by the MBTA. Disturbing or destroying active nests that are protected is a violation of the MBTA. In addition, nests and eggs are protected under Fish and Game Code Section 3503. Adherence to Mitigation Measure BIO-1 would ensure that the Project complies with the MBTA. Additionally, Mitigation Measure BIO-1 requires nesting bird surveys if vegetation and tree removal occur between February 1 and September 15 to reduce potential

Project impacts related to migratory birds. With implementation of Mitigation Measure BIO-1, potential impacts to biological resources would be less than significant.

There are no previously recorded cultural resources within the Project area. In addition, the potential for paleontological resources on the Project site is considered low because the site contains Artificial Fill (which has no paleontological sensitivity) and Young Alluvial Fan Deposits (which have low paleontological sensitivity from the surface to a depth of 10 ft and a high sensitivity below that mark). Ground-disturbing activities on the site are not anticipated to extend deeper than 5 ft. Mitigation Measure CUL-1 requires construction to halt in the event an archaeological resource is discovered until a qualified archaeologist can evaluate the find. Mitigation Measure CUL-2 requires construction to halt in the event a paleontological resource is discovered until a qualified paleontologist can evaluate the find. In the event that human remains are discovered during construction, Mitigation Measure CUL-3 requires notification of the proper authorities and adherence to standard procedures for the respectful handling of human remains. In addition, Mitigation Measure TRC-1 requires Native American monitors to be present on site in the event that any native soils are disturbed during Project construction. Implementation of Mitigation Measures CUL-1, CUL-2, CUL-3, and TRC-1 would reduce any potential impacts to previously undiscovered cultural resources, paleontological resources, or human remains to a less than significant level.

Significance Determination: Potentially Significant Impact.

Mitigation Measures: Refer to Mitigation Measures BIO-1, CUL-1, CUL-2, CUL-3, and TRC-1

Significance Determination after Mitigation: Less than Significant Impact

- (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?)**

The Project site is currently developed and is located in an urban area. The proposed Project involves the demolition of an existing church and school and construction of 70 single-family residential units. The proposed Project would rely on and can be accommodated by the existing road system, public parks, public services, and utilities. The proposed Project would not result in or contribute to a significant biological or cultural impact. Based on the Project Description and the preceding responses, impacts related to the proposed Project are less than significant or can be reduced to less than significant levels with incorporation of mitigation measures. The proposed Project’s contribution to any significant cumulative impacts would be less than cumulatively considerable.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required

(c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

The Project site is currently developed and is located in an urban area. The proposed Project involves the demolition of an existing church and school and construction of 70 single-family residential units. The proposed Project includes a General Plan Amendment and a Zone Change. If approved, the proposed Project would be consistent with City zoning and General Plan designations for the site. Based on the Project Description and the preceding responses, development of the proposed Project would not cause substantial adverse effects to human beings because all potentially significant impacts of the proposed Project can be mitigated to a less than significant level.

Significance Determination: Potentially Significant Impact

Mitigation Measures: Refer to Mitigation Measures BIO-1, CUL-1 through CUL-3, GEO-1, HAZ-1 through HAZ-3, NOI-1 through NOI-3, REC-1, and WQ-1 through WQ-4

Significance Determination after Mitigation: Less than Significant Impact

This page intentionally left blank

5.0 MITIGATION MONITORING AND REPORTING PROGRAM

5.1 MITIGATION MONITORING REQUIREMENTS

Public Resources Code (PRC) Section 21081.6 (enacted by the passage of Assembly Bill [AB] 3180) mandates that the following requirements shall apply to all reporting or mitigation monitoring programs:

- The public agency shall adopt a reporting or monitoring program for the changes made to the Project or conditions of Project approval in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during Project implementation. For those changes which have been required or incorporated into the Project at the request of a Responsible Agency or a public agency having jurisdiction by law over natural resources affected by the Project, that agency shall, if so requested by the Lead Agency or a Responsible Agency, prepare and submit a proposed reporting or monitoring program.
- The Lead Agency shall specify the location and custodian of the documents or other material which constitute the record of proceedings upon which its decision is based. A public agency shall provide the measures to mitigate or avoid significant effects on the environment that are fully enforceable through permit conditions, agreements, or other measures. Conditions of Project approval may be set forth in referenced documents which address required mitigation measures or in the case of the adoption of a plan, policy, regulation, or other Project, by incorporating the mitigation measures into the plan, policy, regulation, or Project design.
- Prior to the close of the public review period for a draft Environmental Impact Report (EIR) or MND, a Responsible Agency, or a public agency having jurisdiction over natural resources affected by the Project, shall either submit to the Lead Agency complete and detailed performance objectives for mitigation measures which would address the significant effects on the environment identified by the Responsible Agency or agency having jurisdiction over natural resources affected by the Project, or refer the Lead Agency to appropriate, readily available guidelines or reference documents. Any mitigation measures submitted to a Lead Agency by a Responsible Agency or an agency having jurisdiction over natural resources affected by the Project shall be limited to measures which mitigate impacts to resources which are subject to the statutory authority of, and definitions applicable to, that agency. Compliance or noncompliance by a Responsible Agency or agency having jurisdiction over natural resources affected by a Project with that requirement shall not limit that authority of the Responsible Agency or agency having jurisdiction over natural resources affected by a Project, or the authority of the Lead Agency, to approve, condition, or deny Projects as provided by this division or any other provision of law.

5.2 MITIGATION MONITORING PROCEDURES

The mitigation monitoring and reporting program has been prepared in compliance with PRC Section 21081.6. The program describes the requirements and procedures to be followed by the City of Garden Grove to ensure that all mitigation measures adopted as part of the proposed Project would be carried out as described in this Initial Study/Mitigated Negative Declaration (IS/MND). Table 5.A lists each of the mitigation measures specified in this IS/MND and identifies the party or parties responsible for implementation and monitoring of each measure.

Table 5.A: Mitigation and Monitoring Reporting Program

Mitigation Measures		Responsible Party	Timing for PDF or Mitigation Measure
4.1 Aesthetics			
The proposed Project would not result in significant adverse impacts related to aesthetics. No mitigation would be required.			
4.2 Agriculture and Forest Resources			
The proposed Project would not result in significant adverse impacts related to agriculture. No mitigation would be required.			
4.3 Air Quality			
The proposed Project would not result in significant adverse impacts related to air quality. No mitigation would be required.			
4.4 Biological Resources			
BIO-1	Migratory Bird Treaty Act. In the event that vegetation and tree removal should occur between February 1 and September 15, the Developer (or its contractor) shall retain a qualified biologist (i.e., 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 of the designated construction area prior to construction, the biologist shall establish suitable buffers around the active nests (e.g., as much as 500 feet for raptors and 300 feet for nonraptors [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 Director of the City of Garden Grove Community and Economic Development Department, or designee, shall verify that all Project grading and construction plans are consistent with the requirements stated above, that preconstruction surveys have been completed 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.	Director of the City of Garden Grove Community and Economic Development Department, or designee	3 days prior to commencement of construction activities/prior to commencement of grading activities and issuance of any building permits
4.5 Cultural Resources			
CUL-1	Unknown Archeological Resources. In the event that archaeological resources are	City of Garden Grove	Prior to commencement

Table 5.A: Mitigation and Monitoring Reporting Program

Mitigation Measures	Responsible Party	Timing for PDF or Mitigation Measure
discovered during excavation, grading, or construction activities, work shall cease within 50 feet of the find until a qualified archaeologist from the Orange County List of Qualified Archaeologists has evaluated the find in accordance with federal, State, and local guidelines to determine whether the find constitutes a “unique archaeological resource,” as defined in Section 21083.2(g) of the California Public Resources Code (PRC). Personnel of the proposed Project shall not collect or move any archaeological materials and associated materials. Construction activity may continue unimpeded on other portions of the Project site. The found deposits shall be treated in accordance with federal, State, and local guidelines, including those set forth in PRC Section 21083.2. Prior to commencement of grading activities, the Director of the City of Garden Grove Community and Economic Development Department, or designee, shall verify that all Project grading and construction plans include specific requirements regarding California PRC (Section 21083.2[g]) and the treatment of archaeological resources as specified above.	Community and Economic Development Department, or designee	of grading activities
CUL-2 Unknown Paleontological Resources. In the event that paleontological resources are discovered during excavation, grading, or construction activities, work shall cease within 50 feet of the find until a qualified paleontologist (i.e., a practicing paleontologist that is recognized in the paleontological community and is proficient in vertebrate paleontology) has evaluated the find in accordance with federal, State, and local guidelines. Personnel of the proposed Project shall not collect or move any paleontological materials and associated materials. Construction activity may continue unimpeded on other portions of the Project site. If any fossil remains are discovered in sediments with a Low paleontological sensitivity rating (Young Alluvial Fan Deposits), the paleontologist shall make recommendations as to whether monitoring shall be required in these sediments on a full-time basis. Prior to commencement of grading activities, the Director of the City of Garden Grove Community and Economic Development Department, or designee, shall verify that all Project grading and construction plans specify federal, State, and local requirements related to the unanticipated discovery of paleontological resources as	Director of the City of Garden Grove Community and Economic Development Department, or designee	Prior to commencement of grading activities

Table 5.A: Mitigation and Monitoring Reporting Program

Mitigation Measures		Responsible Party	Timing for PDF or Mitigation Measure
stated above.			
CUL-3	<p>Human Remains. In the event that human remains are encountered on the Project site, work within 25 feet of the discovery shall be redirected and the County Coroner 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. If the remains are determined to be Native American, the County Coroner shall notify the Native American Heritage Commission (NAHC), which shall determine and notify a Most Likely Descendant (MLD). With the permission of the property owner, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC. The MLD may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials. Consistent with CCR Section 15064.5(d), if the remains are determined to be Native American and an MLD is notified, the City shall consult with the MLD as identified by the NAHC to develop an agreement for treatment and disposition of the remains. Prior to the issuance of grading permits, the City of Garden Grove Community and Economic Development Department, or designee, 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>	City of Garden Grove Community and Economic Development Department, or designee	Prior to the issuance of grading permits
4.6 Geology and Soils			
GEO-1	<p>Incorporation of and Compliance with the Recommendations in the Geotechnical Study. All grading operations and construction shall be conducted in conformance with the recommendations included in the geotechnical documents prepared by Alta California Geotechnical, Inc. (included in Appendix C of this IS/MND). Recommendations found in the geotechnical document address topics including but not limited to:</p> <ul style="list-style-type: none"> Earthwork, including site preparations, soil replacement, compaction standards, 	City Engineer, or designee	Prior to the start of grading and construction activities/prior to fill placement/prior to the placement of concrete

Table 5.A: Mitigation and Monitoring Reporting Program

Mitigation Measures	Responsible Party	Timing for PDF or Mitigation Measure
<p>groundwater seepage, and fill placement;</p> <ul style="list-style-type: none"> • Liquefaction; • Foundations, including post-tensioned slab design recommendations and foundation design parameters; • Storm water infiltration systems; • Seismic design parameters; • Retaining and garden wall design and construction criteria including backfill requirements; • Concrete flatwork, including exterior slabs, walkways, and design of these features; • Soil corrosion; and • Post-construction considerations, including drainage and burrowing animal maintenance. <p>Additional site grading, foundation, and utility plans shall be reviewed by the Project Geotechnical Consultant prior to construction to check for conformance with the recommendations of this report. The Project Geotechnical Consultant shall be present during site grading and foundation construction to observe and document proper implementation of the geotechnical recommendations. The Project Applicant shall require the Project Geotechnical Consultant to perform at least the following duties during construction:</p> <ul style="list-style-type: none"> • Observe and test the bottom of removals to ensure that more unsuitable ground is not uncovered. If unsuitable soils, such as undocumented artificial fill, are exposed upon the completion of the removals, additional removals may be required, as determined by the Project Geotechnical Consultant; 		

Table 5.A: Mitigation and Monitoring Reporting Program

Mitigation Measures		Responsible Party	Timing for PDF or Mitigation Measure
<ul style="list-style-type: none"> Observe and approve all removal/over-excavation bottoms prior to fill placement; Review boundary conditions as design progresses; Sample, test, and approve location of soils proposed for import; Observe the footing excavations prior to the placement of concrete to determine that the excavations are founded in suitably compacted material <p>Grading plan review shall also be conducted by the City of Garden Grove City Engineer, or designee, prior to the start of grading to verify that requirements developed during the preparation of geotechnical documents (Alta California Geotechnical, Inc., Appendix C) have been appropriately incorporated into the project plans. Design, grading, and construction shall be performed in accordance with the requirements of the City Building Code and the California Building Code (CBC) applicable at the time of grading, as well as the recommendations of the Project Geotechnical Consultant as summarized in the final Geotechnical Report subject to review by the City Engineer, or designee, prior to the start of grading activities. The final Geotechnical Report shall present the results of observation and testing done during grading activities.</p>			
4.7 Greenhouse Gas Emissions			
The proposed Project would not result in significant adverse impacts related to greenhouse gas emissions. No mitigation would be required.			
4.8 Hazards and Hazardous Materials			
HAZ-1	Predemolition Surveys and Abatement of ACMs and LBPs. Prior to commencement of demolition activities, the Director of the City of Garden Grove Community and Economic Development Department, or designee, shall verify that predemolition surveys for asbestos-containing materials (ACMs), lead-based paints (LBPs), and polychlorinated biphenyls (PCBs) (including sampling and analysis of all suspected building materials) have been performed. All inspections, surveys, and analyses shall be performed by appropriately licensed and qualified individuals in	Director of the City of Garden Grove Community and Economic Development Department, or designee/City of	Prior to commencement of demolition activities

Table 5.A: Mitigation and Monitoring Reporting Program

	Mitigation Measures	Responsible Party	Timing for PDF or Mitigation Measure
	<p>accordance with applicable regulations (i.e., American Society for Testing and Materials (ASTM) E 1527-05, and 40 Code of Federal Regulations (CFR), Subchapter R, Toxic Substances Control Act [TSCA], Part 716).</p> <p>Wherever evidence of ACMs, LBPs, and ACMs are present in areas proposed for demolition, all such materials shall be removed, handled, and properly disposed of by appropriately licensed contractors according to all applicable regulations during demolition of structures (40 CFR, Subchapter R, TSCA, Parts 745, 761, and 763). During demolition, air monitoring shall be completed by appropriately licensed and qualified individuals in accordance with applicable regulations both to ensure adherence to applicable regulations (e.g., South Coast Air Quality Management District [SCAQMD]) and to provide safety to workers and the adjacent community. The Project Applicant shall provide documentation (e.g., all required waste manifests, sampling, and air monitoring analytical results) to the City of Garden Grove Fire Department showing that abatement of any ACMs, LBPs, and PCBs identified in these structures has been completed in full compliance with all applicable regulations and approved by the appropriate regulatory agencies (40 CFR, Subchapter R, TSCA, Parts 716, 745, 761, 763, and 795 and California Code of Regulations [CCR] Title 8, Article 2.6). An Operating & Maintenance Plan (O&M) shall be prepared for any ACM-, LBP-, or PCB-containing fixtures to remain in place and shall be reviewed and approved by the City of Garden Grove Fire Department.</p>	Garden Grove Fire Department	
HAZ-2	<p>Contingency Plan. Prior to commencement of grading activities, the Director of the County Environmental Health Division, or designee, shall review and approve a contingency plan that addresses the procedures to be followed should on-site unknown hazards or hazardous substances be encountered during demolition and construction activities. The plan shall indicate that if construction workers encounter underground tanks, gases, odors, uncontained spills, or other unidentified substances, the contractor shall stop work, cordon off the affected area, and notify the Garden Grove Fire Department (GGFD). The GGFD responder shall determine</p>	Director of the County Environmental Health Division, or designee/Garden Grove Fire Department	Prior to commencement of grading activities

Table 5.A: Mitigation and Monitoring Reporting Program

Mitigation Measures	Responsible Party	Timing for PDF or Mitigation Measure
the next steps regarding possible site evacuation, sampling, and disposal of the substance consistent with local, State, and federal regulations.		
<p>HAZ-3 Construction Staging and Traffic Management Plan. Prior to issuance of a grading permit, a Construction Staging and Traffic Management Plan shall be prepared for approval by the Director of the City of Garden Grove Public Works Department, or designee. The Construction Staging and Traffic Management Plan shall will also include the name and phone number of a contact person who can be reached 24 hours a day regarding construction traffic complaints or emergency situations. The Construction Staging and Traffic Management Plan shall may include, but not be limited to, the following:</p> <ul style="list-style-type: none"> • Temporary lane closures shall be implemented consistent with the recommendations of the California Joint Utility Traffic Control Manual; • Flag persons in adequate numbers shall be provided to minimize impacts to traffic flow and to ensure safe access into and out of the site; • Flag persons shall be trained to assist in emergency response by restricting or controlling the movement of traffic that could interfere with emergency vehicle access; • All emergency access to the Project site and adjacent areas shall be kept clear and unobstructed during all phases of demolition and construction; • Providing safety precautions for pedestrians and bicyclists through such measures as alternate routing and protection barriers; • Scheduling construction-related deliveries, other than concrete and earthwork-related deliveries, so as to reduce travel during peak travel periods (i.e., 6:00 a.m. to 9:00 a.m. and 3:30 p.m. to 7:00 p.m. Monday through Friday); • Coordination with other construction projects in the vicinity to minimize 	Director of the City of Garden Grove Public Works Department, or designee	Prior to issuance of a grading permit

Table 5.A: Mitigation and Monitoring Reporting Program

Mitigation Measures	Responsible Party	Timing for PDF or Mitigation Measure
<p>conflicts;</p> <ul style="list-style-type: none"> • If necessary, obtaining a Caltrans transportation permit for use of oversized transport vehicles on Caltrans facilities; • If necessary, submitting a traffic management plan to Caltrans for review and approval; • Construction vehicles, including construction personnel vehicles, shall not park on public streets, including streets outside the City of Garden Grove; • Construction vehicles shall not stage or queue where they interfere with pedestrian and vehicular traffic or block access to nearby businesses; • If feasible, any traffic lane closures will be limited to off-peak traffic periods, as approved by the City of Garden Grove Department of Public Works; and • <u>The Orange County Transportation Authority shall be notified a minimum of 24 hours in advance of any lane closures or other roadway work.</u> • The Garden Grove Police Department shall be notified a minimum of 24 hours in advance of any lane closures or other roadway work. 		
4.9 Hydrology and Water Quality		
<p>WQ-1 Construction General Permit. Prior to issuance of a grading permit, the Project Applicant shall obtain coverage under the State Water Resources Control Board National Pollutant Discharge Elimination System General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Order No. 2009-0009-DWQ, as amended by 2010-0014-DWG and 2012-0006-DWQ, National Pollutant Discharge Elimination System No. CAS000002) (Construction General Permit). This shall include submission of Permit Registration Documents (PRDs), including a Notice of Intent (NOI) for coverage under the permit to the State Water Resources Control Board (SWRCB) via the Storm water Multiple</p>	<p>City of Garden Grove Public Works Department, or designee</p>	<p>Prior to issuance of a grading permit/prior to commencement of construction activities/upon completion of construction activities and stabilization of the Project site</p>

Table 5.A: Mitigation and Monitoring Reporting Program

	Mitigation Measures	Responsible Party	Timing for PDF or Mitigation Measure
	<p>Application and Report Tracking System (SMARTS). Construction activities shall not commence until a Waste Discharge Identification Number (WDID) is obtained from SMARTS. Prior to commencement of construction activities, the Project Applicant shall provide the WDID to the Director of the City of Garden Grove Public Works Department, or designee, to demonstrate proof of coverage under the Construction General Permit. A Storm Water Pollution Prevention Plan (SWPPP) shall be prepared and implemented for the proposed Project in compliance with the requirements of the Construction General Permit. The SWPPP shall identify construction Best Management Practices (BMPs), such as Erosion Control, Sediment Control, and Good Housekeeping BMPs, to be implemented to ensure that the potential for soil erosion and sedimentation is minimized and to control the discharge of pollutants in storm water runoff as a result of construction activities. Upon completion of construction activities and stabilization of the Project site, a Notice of Termination (NOT) shall be submitted via SMARTS to terminate coverage under the Construction General Permit.</p>		
WQ-2	<p>Final Water Quality Management Plan. Prior to the issuance of any grading or building permits, the Project Applicant shall submit a Final Water Quality Management Plan (WQMP) to the Director of the City of Garden Grove Public Works Department, or designee, for review and approval. The Final WQMP shall be prepared consistent with the Orange County Municipal Separate Storm Sewer System (MS4) Permit, Drainage Area Management Plan (DAMP), Model WQMP, and Technical Guidance Document. The Final WQMP shall specify BMPs to be incorporated into the design of the proposed Project. The BMPs shall include Site Design, Source Control, and Low Impact (LID) BMPs that target pollutants of concern in storm water runoff. The WQMP shall:</p> <ul style="list-style-type: none"> Address Site Design BMPs based on the geotechnical report recommendations and findings for conformance with the required regime of structural BMPs, as outlined in the latest Technical Guidance Document (TGD), such as infiltration, minimizing impervious areas, maximizing permeability, 	Director of the City of Garden Grove Public Works Department, or designee	Prior to the issuance of any grading or building permits

Table 5.A: Mitigation and Monitoring Reporting Program

	Mitigation Measures	Responsible Party	Timing for PDF or Mitigation Measure
	<p>minimizing directly connected impervious areas, creating reduced or “zero discharge” areas, and conserving natural areas</p> <ul style="list-style-type: none"> • Incorporate the applicable Routine Source Control BMPs as defined in the Drainage Area Management Plan (DAMP) • Incorporate structural and Treatment Control BMPs as defined in the DAMP • Generally describe the long-term operation and maintenance requirements for the Treatment Control BMPs • Identify the entity that will be responsible for long-term operation and maintenance of the Treatment Control BMPs. 		
WQ-3	<p>BMP Implementation, Operation, and Maintenance. Prior to building permit closeout, the Director of the City of Garden Grove Public Works Department, or designee, shall verify that the Project Applicant has:</p> <ul style="list-style-type: none"> • Demonstrated that all structural BMPs described in the Final WQMP have been constructed and installed in conformance with approved plans and specifications • Demonstrated that the Project Applicant is prepared to implement all nonstructural BMPs described in the Final WQMP by detailing the activity restrictions, BMP maintenance activities, pollution prevention education, and employee training in the Final WQMP. • Demonstrated that at least one copy of the approved Final WQMP is available on the Project site • Submitted an Operations and Maintenance (O&M) Plan for all structural BMPs to the Director of the City of Garden Grove Community and Economic Development Department, or designee, for review and approval. The O&M Plan shall include the following requirements: 	Director of the City of Garden Grove Public Works Department, or designee	Prior to building permit closeout/prior to the start of the rainy season

Table 5.A: Mitigation and Monitoring Reporting Program

Mitigation Measures	Responsible Party	Timing for PDF or Mitigation Measure
<ul style="list-style-type: none"> ○ The HOA shall verify BMP implementation and ongoing maintenance through inspection, self-certification, survey, or other equally effective measure. The certification shall verify that, at a minimum, the inspection and maintenance of all structural BMPs including inspection and performance of any required maintenance in the late summer/early fall, prior to the start of the rainy season. ○ The HOA shall retain operations, inspections, and maintenance records of the BMPs and shall make the records available to the City or County upon request. ○ All inspection and maintenance records shall be maintained for at least 5 years after the recorded inspection date for the lifetime of the Project. ○ Long-term funding for BMP maintenance shall be funded through fees paid into the HOA. Shea Homes, which will set up the HOA, shall oversee that adequate funding for BMP maintenance is included within the HOA fee structure, including annual maintenance fees and long-term maintenance reserve funds. ○ Revisions to the HOA's Covenants, Conditions, and Restrictions (CC&Rs) related to the WQMP and BMPs shall be prohibited except with the review and approval of the Director of the City of Garden Grove Public Works Department, or designee. • Filed a record of the O&M Plan with the County Recorder's office • Provided notice by recordation of the Final WQMP with the County Recorder's office prior to sale of the property to notify all future owners that the Final WQMP is bound in perpetuity to the property. • Coordinate maintenance and other responsibilities with the project CC&Rs. 		
WQ-4	Transfer of WQMP Implementation Responsibility: Should the maintenance	City of Garden Grove
		At the time the

Table 5.A: Mitigation and Monitoring Reporting Program

Mitigation Measures	Responsible Party	Timing for PDF or Mitigation Measure
responsibility be transferred at any time during the operational life of the proposed Project, such as when a homeowners association (HOA) is formed for the community or a new HOA assumes management of the community, a formal notice of transfer shall be submitted to the City of Garden Grove Public Works Department, or designee at the time responsibility of the property subject to the Final WQMP is transferred. The transfer of responsibility shall be incorporated into the Final WQMP as an amendment. CC&Rs shall include the WQMP by reference and preclude revisions to the WQMP except as approved by the City.	Public Works Department, or designee	maintenance responsibility of the property is transferred
4.10 Land Use/Planning		
The proposed Project would not result in significant adverse impacts related to land use/planning. No mitigation would be required.		
4.11 Mineral Resources		
The proposed Project would not result in significant adverse impacts related to mineral resources. No mitigation would be required.		
4.12 Noise		
NOI-1 Construction Noise and Vibration: Prior to issuance of building permits, the Director of the Garden Grove Community and Economic Development Department, or designee, shall verify that grading and construction plans include the following requirements: <ul style="list-style-type: none"> Construction activities occurring as part of the project shall be subject to the limitations and requirements of the City of Garden Grove Municipal Code, which states that construction activities shall occur only between the hours of 7:00 a.m. and 10:00 p.m. A temporary 8-ft-high perimeter wall shall be placed along the southern northern perimeter of the project site (as illustrated by Figure 4.12.2) such that the line of sight from ground-level construction equipment and sensitive receptors would be blocked. The construction barrier shall be composed of a material that has a minimum Sound Transmission Class (STC) rating of 27. Limit the operations of heavy equipment, specifically scrapers and bulldozers, 	Director of the Garden Grove Community and Economic Development Department, or designee	Prior to issuance of building permits

Table 5.A: Mitigation and Monitoring Reporting Program

Mitigation Measures	Responsible Party	Timing for PDF or Mitigation Measure
<p>to less than six (6) hours in duration when activities occur within 50 ft of the northern property line.</p> <ul style="list-style-type: none"> • Ensure that the greatest distance between noise sources and sensitive receptors during construction activities has been achieved: • Construction equipment, fixed or mobile, shall be equipped with properly operating and maintained noise mufflers consistent with manufacturer's standards. • Construction staging areas shall be located away from off-site sensitive uses during the later phases of project development. • The project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site whenever feasible. • The construction contractor shall use on-site electrical sources to power equipment rather than diesel generators where feasible. • All residential units located within 500 ft of the construction site shall be sent a notice regarding the construction schedule. A sign, legible at a distance of 50 ft shall also be posted at the construction site. All notices and the signs shall indicate the dates and duration of construction activities, as well as provide a telephone number for the "noise disturbance coordinator." • A "noise disturbance coordinator" shall be established. The disturbance coordinator shall be responsible for responding to any local complaints about construction noise. The disturbance coordinator shall determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and shall be required to implement reasonable measures to reduce noise levels. All notices that are sent to residential units within 500 ft of the construction site and all signs posted at the construction site shall list the telephone number for the 		

Table 5.A: Mitigation and Monitoring Reporting Program

	Mitigation Measures	Responsible Party	Timing for PDF or Mitigation Measure
	<p>disturbance coordinator.</p> <ul style="list-style-type: none"> The construction contractor shall schedule high vibration producing activities between the hours of 8:00 a.m. and 5:00 p.m. to minimize disruption to sensitive uses. Grading and construction contractors shall use equipment that generates lower vibration levels such as rubber-tired equipment rather than metal-tracked equipment when construction is located near existing sensitive uses. 		
NOI-2	<p>Long-Term On-Site Traffic Noise. Prior to issuance of building permits, the Director of the Garden Grove Community and Economic Development Department, or designee, shall verify that construction plans include the following:</p> <ul style="list-style-type: none"> Construction of an 8-foot-high wall along the southern perimeter of the Project site (adjacent to Garden Grove Boulevard) and 6-foot-high walls along the northern, western, and eastern perimeters of the Project site. All residences, including all bedrooms and living rooms, shall have windows with a minimum STC rating of 27. <ul style="list-style-type: none"> All exterior windows and doors shall be well-sealed and free of gaps or air spaces. Prior to the issuance of building permits, documentation shall be provided to the Director of the City of Garden Grove Community and Economic Development Department, or designee, demonstrating that project buildings meet ventilation standards required by the California Building Code (CBC) with the windows closed. It is likely that a form of mechanical ventilation, such as an air-conditioning system, will be required as part of the project design for all residences. 	Director of the Garden Grove Community and Economic Development Department, or designee	Prior to issuance of building permits
NOI-3:	<p>Recreation Area Municipal Code Compliance. Prior to the issuance of any certificates of occupancy, the Project Applicant/Developer shall submit</p>	Director of the Garden Grove Community and	Prior to the issuance of any certificates of

Table 5.A: Mitigation and Monitoring Reporting Program

Mitigation Measures		Responsible Party	Timing for PDF or Mitigation Measure
documentation to the Director of the City of Garden Grove Community and Economic Development Department, or designee, demonstrating that, at a minimum, the homeowners association (HOA) shall limit the hours of use in the private on-site recreation area to the hours between 7:00 a.m. and 10:00 p.m. The HOA shall post signs with the hours of access or use in conspicuous places within the recreation area. This requirement shall be included in the Declaration of Covenants, Conditions, and Restrictions (CC&Rs) for the community and shall not be removed.		Economic Development Department, or designee	occupancy
4.13 Population and Housing			
The proposed Project would not result in significant adverse impacts related to population or housing. No mitigation would be required.			
4.14 Public Services and Utilities			
The proposed Project would not result in significant adverse impacts related to public services or utilities. No mitigation would be required.			
4.15 Recreation			
REC-1	Dedication Fees. Prior to issuance of any building permits, the Project Applicant shall provide proof to the Director of the City of Garden Grove Economic and Community Development Department, or designee, that payment of park fees to the City of Garden Grove has been made in accordance with the Development Agreement between the City of Garden Grove and the Project Applicant.	Director of the City of Garden Grove Economic and Community Development Department, or designee	Prior to issuance of any building permits
4.16 Transportation/Traffic			
The proposed Project would not result in significant adverse impacts related to transportation/traffic. No mitigation would be required.			
4.17 Utilities/Service Systems			
The proposed Project would not result in significant adverse impacts related to utilities/service systems. No mitigation would be required.			
4.18 Tribal Cultural Resources			
TCR-1	Tribal Cultural Resources: Monitoring Procedures. Prior to commencement of	City of Garden Grove	Prior to commencement

Table 5.A: Mitigation and Monitoring Reporting Program

Mitigation Measures	Responsible Party	Timing for PDF or Mitigation Measure
<p>any grubbing or grading activities, the Project Applicant/Developer shall present evidence to the City of Garden Grove Director of the Economic and Community Development Department, or designee, that a qualified Native American monitor has been retained to provide Native American monitoring services for any construction activities that may disturb native soils. The Native American monitor shall be selected by the Project Applicant/Developer from the list of certified Native American monitors maintained by the Gabrieleno Band of Mission Indians – Kizh Nation. The Native American monitor shall be present at the pre-grading conference to establish procedures for tribal cultural resource surveillance. Those procedures shall include provisions for temporarily halting or redirecting work to permit sampling, identification, and evaluation of resources deemed by the Native American monitor to be tribal cultural resources as defined in Public Resources Code section 21074. These procedures shall be reviewed and approved by the City of Garden Grove Director of the Economic and Community Development Department, or designee, prior to commencement of any surface disturbance on the Project site.</p>	<p>Director of the Economic and Community Development Department, or designee</p>	<p>of any grubbing or grading activities/prior to commencement of any surface disturbance on the Project site</p>

ACM = asbestos-containing material
ASTM = American Society for Testing and Materials
BMP = best management practice
CBC = California Building Code
CCR = California Code of Regulations
CC&R = Covenants, Conditions, and Restrictions
DAMP = Drainage Area Management Plan
GGFD = Garden Grove Fire Department
HOA = homeowners association
IS/MND = Initial Study/Mitigated Negative Declaration
LBP = lead-based paint

LID = Low Impact Development
MBTA = Migratory Bird Treaty Act
MLD = Most Likely Descendant
MS4 = Municipal Separate Storm Sewer System
NAHC = Native American Heritage Commission
NOI = Notice of Intent
NOT = Notice of Termination
O&M = Operations and Maintenance
PCB = polychlorinated biphenyls
PDF = Portable Document Format
PRC = Public Resources Code

PRD = Permit Registration Document
SCAQMD = South Coast Air Quality Management District
SMARTS = Storm water Multiple Application and Report Tracking System
STC = minimum Sound Transmission Class
SWPPP = Storm Water Pollution Prevention Plan
SWRCB = State Water Resources Control Board
TSCA = Toxic Substances Control Act
TGD = Technical Guidance Document
WDID = Waste Discharge Identification Number
WQMP = Water Quality Management Plan

6.0 REFERENCES

- ABC. 2008. Sound Transmission Loss Test Reports.
- Alta California Geotechnical, Inc. 2015. *Preliminary Geotechnical Investigation for St. Callistus Church, City of Garden Grove, California* (Geotechnical Investigation). May.
- California Building Standards Commission. 2013. California Fire Code: California Code of Regulations Title 24, Part 9. *Appendix B: Fire Flow Requirements For Buildings*. October 2016.
- California Department of Conservation, Division of Mines and Geology. 1998. State of California: Seismic Hazard Zones Anaheim and Newport 7.5 Minute Quadrangle.
- . California Important Farmland Finder. <http://maps.conservation.ca.gov/ciff/ciff.html>, accessed November 11, 2016.
- California Department of Transportation (Caltrans). 2013. Transportation and Construction Vibration Guidance Manual. September.
- . 2014. Traffic Census Program, Annual Average Daily Traffic. <http://www.dot.ca.gov/trafficops/census/>, accessed October 2016.
- California Department of Finance. 2016. E-5 Population and Housing Estimates for Cities, Counties, and the State, 2011–2016 with 2010 Census Benchmark. May. <http://www.dof.ca.gov/Forecasting/Demographics/Estimates/E-5>.
- California Manual on Uniform Traffic Control Devices (CAMUTCD).
- City of Garden Grove. 2006. *Traffic Engineering Policy TE 18 Traffic Study Requirements for Development*. August.
- . 2008. General Plan. <http://www.ci.garden-grove.ca.us/commdev/planning>, accessed October 2016.
- . 2011. Municipal Code. <http://qcode.us/codes/gardengrove/>, accessed November 22, 2016.
- . 2015a. City Performance Report, Fiscal Year July 1, 2014–June 30, 2015.
- . 2015b. Urban Water Management Plan.

- . Facts & Figures, <http://www.ci.garden-grove.ca.us/fire/facts>, accessed November 14, 2016.
- City of Orange. 2007. *Traffic Impact Analysis Guidelines*. August.
- . 2011. Areas Subject to Dam Inundation Map. July. <http://www.cityoforange.org/civicax/filebank/blobdload.aspx?BlobID=15540>, accessed September 2016.
- . 2010. City of Orange General Plan Program Environmental Impact Report, Page 5.12-23.
- County of Orange. 2004. Agricultural Preserves: Williamson Act Parcels. ftp://ftp.consrv.ca.gov/pub/dlrp/wa/Orange_WA_03_04.pdf. September 2016.
- . 2005. General Plan. Safety Element. <http://ocplanning.net/civicax/filebank/blobdload.aspx?blobid=40234>, accessed August 30, 2016.
- . 2005. General Plan. Recreation Element. <http://ocplanning.net/civicax/filebank/blobdload.aspx?blobid=24960>, accessed November 22, 2016.
- . 2014. General Plan. Resources Element. <http://ocplanning.net/civicax/filebank/blobdload.aspx?blobid=40235>, accessed August 16, 2016.
- Federal Highway Administration (FHWA). 1977. Highway Traffic Noise Prediction Model, FHWA RD 77 108.
- . 2006. Highway Construction Noise Handbook. Roadway Construction Noise Model, FHWA-HEP-06-015. DOT-VNTSC-FHWA-06-02, NTIS No. PB2006-109012. August.
- Federal Transit Administration (FTA). 2006. Office of Planning and Environment. Transit Noise and Vibration Impact Assessment. FTA-VA-90-1003-06. May.
- Fried, Helen. Written correspondence with Helen Fried, County Librarian, October 24, 2016.
- Fusco Engineering, Inc. 2016a. Preliminary Water Quality Management Plan. May 13.
- . 2016b. Preliminary Hydrology Report prepared by Fuscoe Engineering, Inc. November 9.
- Highway Capacity Manual (HCM). 2010.
- Institute of Transportation Engineers (ITE). 2012. *Trip Generation Manual*, 9th Edition.
- John Wayne Airport (JWA). 2013. Annual 60, 65, 70, and 75 CNEL Noise Contour Maps. Prepared by Mestre Greve Associates, a division of Landrum & Brown.

- Lexington Geoscience. 2015a. Phase I Environmental Site Assessment, Former St. Callistus Catholic Church Property Located at 12921 Lewis Street, Garden Grove, California 92840. May.
- . 2015b. Soil and Soil Vapor Sampling Report, Former St. Callistus Catholic Church Property Located at 12921 Lewis Street, Garden Grove, California 92840. May.
- LSA. 2017a. *Historic Resources Assessment for the Lewis Street Reorganization between the City of Garden Grove and the City of Orange (RO 17-01) and Residential Project*, City of Garden Grove, Orange County, California. January 31.
- . 2017b. *Lewis Street Reorganization between the City of Garden Grove and the City of Orange (RO 17-01) and Residential Project Traffic Impact Analysis*. January.
- . 2016a. *Archaeological Survey of the 9-acre Lewis Street Reorganization between the City of Garden Grove and the City of Orange (RO 17-01) and Residential Project*, City of Garden Grove, County of Orange, California. October.
- . 2016b. *Paleontological Analysis of the Lewis Street Reorganization between the City of Garden Grove and the City of Orange (RO 17-01) and Residential Project*, Cities of Garden Grove and Orange, County of Orange, California. October.
- North American Innovation Manufacturers Association (NAIMA). 1997. Sound Control for Commercial and Residential Buildings. December.
- Orange County Transportation Authority. 2015. Orange County Congestion Management Program. November.
- Orange County Public Works. 2015. *Santa Ana River Project*. <http://ocflood.com/sarp>, accessed November 16, 2016.
- Orange County Sanitation Districts. Regional Sewer Service, Facts and Key Statistics, <http://www.ocsd.com/services/regional-sewer-service>, accessed November 15, 2016.
- Orange Unified School District. 2016. Developer Fees: Guide to School Facility Fees. <https://www.orangeusd.org/facilities/pdf/2016/DeveloperFeesInformation.PDF>, accessed September 29, 2016.
- . https://www.orangeusd.org/news/2008/ORMaps_08.pdf, accessed November 18, 2016.
- Southern California Association of Governments. 2016. 2016–2040 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), Demographics and Growth Forecast, Table 11 Jurisdictional Forecast. April. http://scagrtppscs.net/Documents/2016/final/f2016RTPSCS_DemographicsGrowthForecast.pdf.
- South Coast Air Quality Management District. 1993. CEQA Air Quality Handbook. April.

-
- . 2011. Fact Sheet for Applying CalEEMod to Localized Significance Thresholds. February. <http://www.aqmd.gov/docs/default-source/ceqa/handbook/localized-significance-thresholds/caleemod-guidance.pdf?sfvrsn=2>, accessed November 6, 2016.
- . 2013. Final 2012 Air Quality Management Plan. February.
- . 2014a. Air Quality Analysis Handbook. <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook>, accessed October 28, 2016.
- . 2014b. Localized Significance Thresholds. <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/localized-significance-thresholds>, accessed October 28, 2016.
- . 2015. SCAQMD Air Quality Significance Thresholds. March. <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook>, accessed October 28, 2016.
- Spargur, Jeff. 2016. Written correspondence with Jeff Spargur, Operations Division Chief, November 2.
- State of California, 2009, Tsunami Inundation Map for Emergency Planning, Los Alamitos Quadrangle Seal Beach Quadrangle, Los Angeles County; produced by California Emergency Management Agency, California Geological Survey, and University of Southern California – Tsunami Research Center.
- . 2012. LAFCOs, General Plans, and City Annexations. Governor's Office of Planning and Research.
- Strother, Matthew. Written correspondence on October 7, 2016. Matthew Strother, Executive Director, Facilities and Planning, Orange Unified School District.
- U.S. Census Bureau. 2010. American Fact Finder, Demographic Profile Data for Garden Grove City, Table DP-1: Profile of General Population and Housing Characteristics: 2010.
- U.S. Department of Labor. 2017. Occupational Safety and Health Act. Guidance for Hazard Determination for Compliance with the OSHA Hazard Communication Standard (29 CFR 1910.1200). January 9. <https://www.osha.gov/dsg/hazcom/ghd053107.html>.
- U.S. Environmental Protection Agency, PCBs Questions & Answers. 2017. January 10. <https://www3.epa.gov/reg ion9/pccbs/faq.html>.
- U.S. Fish and Wildlife Service (USFWS). ECOS Environmental Conservation Online System. 2016. <https://ecos.fws.gov/ecp/report/table/critical-habitat.html>, accessed August 16, 2016.
- . 2016a. National Wetlands Inventory. <https://www.fws.gov/wetlands/data/ mapper.html>, accessed August 17, 2016.

- . 2016b. *Threatened & Endangered Species Active Critical Habitat Report*. October 11, 2016.
<http://fws.maps.arcgis.com/home/webmap/viewer.html?webmap=9d8de5e265ad4fe09893cf75b8dbfb77>, accessed November 21, 2016.

This page intentionally left blank

GARDEN GROVE CITY COUNCIL

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE ADOPTING A MITIGATED NEGATIVE DECLARATION AND AN ASSOCIATED MITIGATION MONITORING AND REPORTING PROGRAM FOR THE LEWIS STREET REORGANIZATION BETWEEN THE CITY OF GARDEN GROVE AND THE CITY OF ORANGE (RO 17-01) AND THE RESIDENTIAL PROJECT (GPA-001-2017, PUD-006-2017, TT-17927-2017, SP-028-2017, AND DA-006-2017)

WHEREAS, Shea Homes, the applicant, submitted a request to develop a gated small lot subdivision with 70 single-family detached residential units and related street and open space improvements on a 9.01-acre site located in the Cities of Garden Grove and Orange, at the northwest corner of Lewis Street and Garden Grove Boulevard, at 12901 Lewis Street (Assessor's Parcel Nos. 231-041-26, 231-041-27, 231-041-28, and 231-255-01) (the "Property"), which is owned by Christ Catholic Cathedral Facilities Corporation;

WHEREAS, the applicant has requested the following approvals to facilitate the proposed development: (i) detachment from the City of Orange and annexation to the City of Garden Grove and the Garden Grove Sanitary District of 39,328 square feet or 0.901 acres; (ii) General Plan Amendment No. GPA-001-2017 to amend the City of Garden Grove General Plan Land Use Map to apply a General Plan Land Use Designation of Low Density Residential to the Property; (iii) Planned Unit Development No. PUD-006-2017 to rezone and "pre-zone" the Property residential Planned Unit Development with R-1 (Single-Family Residential) base zoning; (iv) Tentative Tract Map No. TT-17927-2017 to subdivide the subject property into 70 single-family residential lots; (v) Site Plan No. SP-028-2017; and (vi) Development Agreement No. DA-006-2017 (collectively, the "Project");

WHEREAS, a portion of the Project site is located within the city limits of the City of Orange, and for purposes of analysis under the California Environmental Quality Act ("CEQA"), the proposed Project includes action by the Orange County Local Agency Formation Commission ("LAFCO") to approve amendments to the respective spheres of influence of the Cities of Garden Grove and Orange, detachment of the subject 0.901 acres from the City of Orange, and annexation of the subject 0.901 acres to the City of Garden Grove and the Garden Grove Sanitary District;

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;

WHEREAS, a Mitigation Monitoring Program has been prepared and is attached to the Mitigated Negative Declaration listing the mitigation measures to be monitored during Project implementation;

WHEREAS, the Mitigated Negative Declaration with mitigation measures was prepared and circulated in accordance with CEQA and CEQA's implementing guidelines;

WHEREAS, following a Public Hearing held on April 6, 2017, the Garden Grove Planning Commission (1) adopted Resolution No. 5877-17 recommending the City Council adopt a Mitigated Negative Declaration and associated Mitigation Monitoring and Reporting Program for the Project and approve General Plan Amendment No. GPA-001-2017 and Planned Unit Development No. PUD-006-2017, and (2) adopted Resolution No. 5878-17 approving Site Plan No. SP-028-2017 and Tentative Tract Map No. TT-17927-2017, subject to (i) the City Council's approval of a Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the Project, General Plan Amendment No. GPA-001-2017, Planned Unit Development No. PUD-006-2017, and Development Agreement No. DA-006-2017; and (ii) LAFCO approval of the proposed sphere of influence amendments and detachment/annexation; and

WHEREAS, pursuant to a legal notice, a Public Hearing was held by the City Council on May 23, 2017, and the City Council considered the report submitted by City staff and all oral and written testimony presented regarding the Project, the initial study, and proposed Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program.

NOW, THEREFORE, the City Council of the City of Garden Grove does hereby resolve as follows:

1. The foregoing recitals are true and correct and are incorporated herein by reference.
2. The City Council of the City of Garden Grove has considered the proposed Mitigated Negative Declaration and an associated Mitigation Monitoring and Reporting Program for the Project with comments received during the public review process.
3. The City Council of the City of Garden Grove 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.
4. The City Council further finds that the adoption of the Mitigated Negative Declaration and an associated Mitigation Monitoring and Reporting Program for the Project reflects the City Council's independent judgment and analysis.

5. Therefore, the City Council of the City of Garden Grove adopts the Mitigated Negative Declaration and an associated Mitigation Monitoring and Reporting Program for the Project.
6. The record of proceedings on which the City Council of the City of Garden Grove decision is based is located at the City of Garden Grove, 11222 Acacia Parkway, Garden Grove, California. The custodian of record of proceedings is the Director of Community and Economic Development.
7. This Resolution shall be effective immediately upon adoption.
8. The City Clerk shall certify to the adoption of this Resolution.

GARDEN GROVE CITY COUNCIL

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING GENERAL PLAN AMENDMENT NO. GPA-001-2017 TO AMEND THE CITY OF GARDEN GROVE'S GENERAL PLAN LAND USE MAP TO MODIFY THE GENERAL PLAN LAND USE DESIGNATION OF THE PORTION OF THE PROJECT SITE THAT IS LOCATED WITHIN THE CITY OF GARDEN GROVE FROM CIVIC/INSTITUTIONAL TO LOW DENSITY RESIDENTIAL AND TO INCLUDE THE PROPERTIES TO BE ANNEXED UNDER THE GENERAL PLAN LAND USE DESIGNATION OF LOW DENSITY RESIDENTIAL

WHEREAS, Shea Homes, the applicant, submitted a request to develop a gated small lot subdivision with 70 single-family detached residential units and related street and open space improvements on a 9.01-acre site located in the Cities of Garden Grove and Orange, at the northwest corner of Lewis Street and Garden Grove Boulevard, at 12901 Lewis Street (Assessor's Parcel Nos. 231-041-26, 231-041-27, 231-041-28, and 231-255-01) (the "Property"), which is owned by Christ Catholic Cathedral Facilities Corporation;

WHEREAS, the applicant has requested the following approvals to facilitate the proposed development: (i) detachment from the City of Orange and annexation to the City of Garden Grove and the Garden Grove Sanitary District of 39,328 square feet or 0.901 acres; (ii) General Plan Amendment No. GPA-001-2017 to amend the City of Garden Grove General Plan Land Use Map to apply a General Plan Land Use Designation of Low Density Residential to the Property; (iii) Planned Unit Development No. PUD-006-2017 to rezone and "pre-zone" the Property residential Planned Unit Development with R-1 (Single-Family Residential) base zoning; (iv) Tentative Tract Map No. TT-17927-2017 to subdivide the subject property into 70 single-family residential lots; (v) Site Plan No. SP-028-2017; and (vi) Development Agreement No. DA-006-2017 (collectively, the "Project");

WHEREAS, following a Public Hearing held on April 6, 2017, the Garden Grove Planning Commission (1) adopted Resolution No. 5877-17 recommending the City Council adopt a Mitigated Negative Declaration and associated Mitigation Monitoring and Reporting Program for the Project and approve General Plan Amendment No. GPA-001-2017 and Planned Unit Development No. PUD-006-2017, and (2) adopted Resolution No. 5878-17 approving Site Plan No. SP-028-2017 and Tentative Tract Map No. TT-17927-2017, subject to (i) the City Council's approval of a Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the Project, General Plan Amendment No. GPA-001-2017, Planned Unit Development No. PUD-006-2017, and Development Agreement No. DA-006-2017; and (ii) LAFCO approval of the proposed sphere of influence amendments and detachment/annexation;

WHEREAS, concurrent with the adoption of this Resolution, on May 23, 2017, the Garden Grove City Council adopted Resolution No. [REDACTED] authorizing initiation of, and recommending the Orange County Local Agency Formation Commission (LAFCO) take, proceedings for the Lewis Street Reorganization (RO 01-17), consisting of the detachment and annexation of approximately 0.901 acres of territory from the City of Orange to the City of Garden Grove and the Garden Grove Sanitary District, and related sphere of influence changes, in the manner provided by the Cortese/Knox/Hertzberg Local Government Reorganization Act of 2000;

WHEREAS, the area proposed to be detached from the City of Orange and annexed into the City of Garden Grove contains approximately 39,328 square feet or 0.901 acres, involving a reorganization of the existing boundary between the Cities, designation of the subject property Low Density Residential in the City of Garden Grove General Plan Land Use Map, and pre-zoning of the subject property to Planned Unit Development No. PUD-006-2017 with R-1 (Single-Family Residential) base zoning;

WHEREAS, the adoption of the necessary land use actions by the City of Garden Grove to extend the City's General Plan to cover the properties to be annexed and to "pre-zone" the properties are prerequisites to LAFCO's approval of the proposed sphere of influence amendments and detachment/annexation;

WHEREAS, proposed General Plan Amendment No. GPA-001-2017 would amend the City of Garden Grove's General Plan Land Use Map to modify the General Plan Land Use Designation of the portion of the project site that is located within the City of Garden Grove from Civic/Institutional to Low Density Residential and include the properties to be annexed under the General Plan Land Use Designation of Low Density Residential;

WHEREAS, proposed Planned Unit Development No. PUD-006-2017 would amend the City of Garden Grove Zoning Map to "pre-zone" the portion of the Property to be annexed and to change the zoning of the portion of the Property located in Garden Grove to Residential Planned Unit Development zoning (PUD-006-2017) with R-1 (Single-Family Residential) base zoning, incorporating the special requirements for Small Lot Subdivisions set forth in Garden Grove Municipal Code Section 9.12.040.060 as the applicable development standards for the Planned Unit Development and Tentative Tract Map No. TT-17927-2017 and Site Plan No. SP-028-2017 and their associated conditions of approval as the development plan for the Planned Unit Development;

WHEREAS, concurrent with the adoption of this Resolution, on May 23, 2017, the City Council adopted Resolution No. [REDACTED] adopting a Mitigated Negative Declaration and an associated Mitigation Monitoring and Reporting Program for the Project, and introduced an Ordinance approving Planned Unit Development No. PUD-006-2017;

WHEREAS, pursuant to a legal notice, a Public Hearing was held by the City Council on May 23, 2017, and all interested persons were given an opportunity to be heard; and

WHEREAS, the City Council gave due and careful consideration to the matter during its meeting of May 23, 2017.

NOW, THEREFORE, the City Council of the City of Garden Grove does hereby resolve as follows:

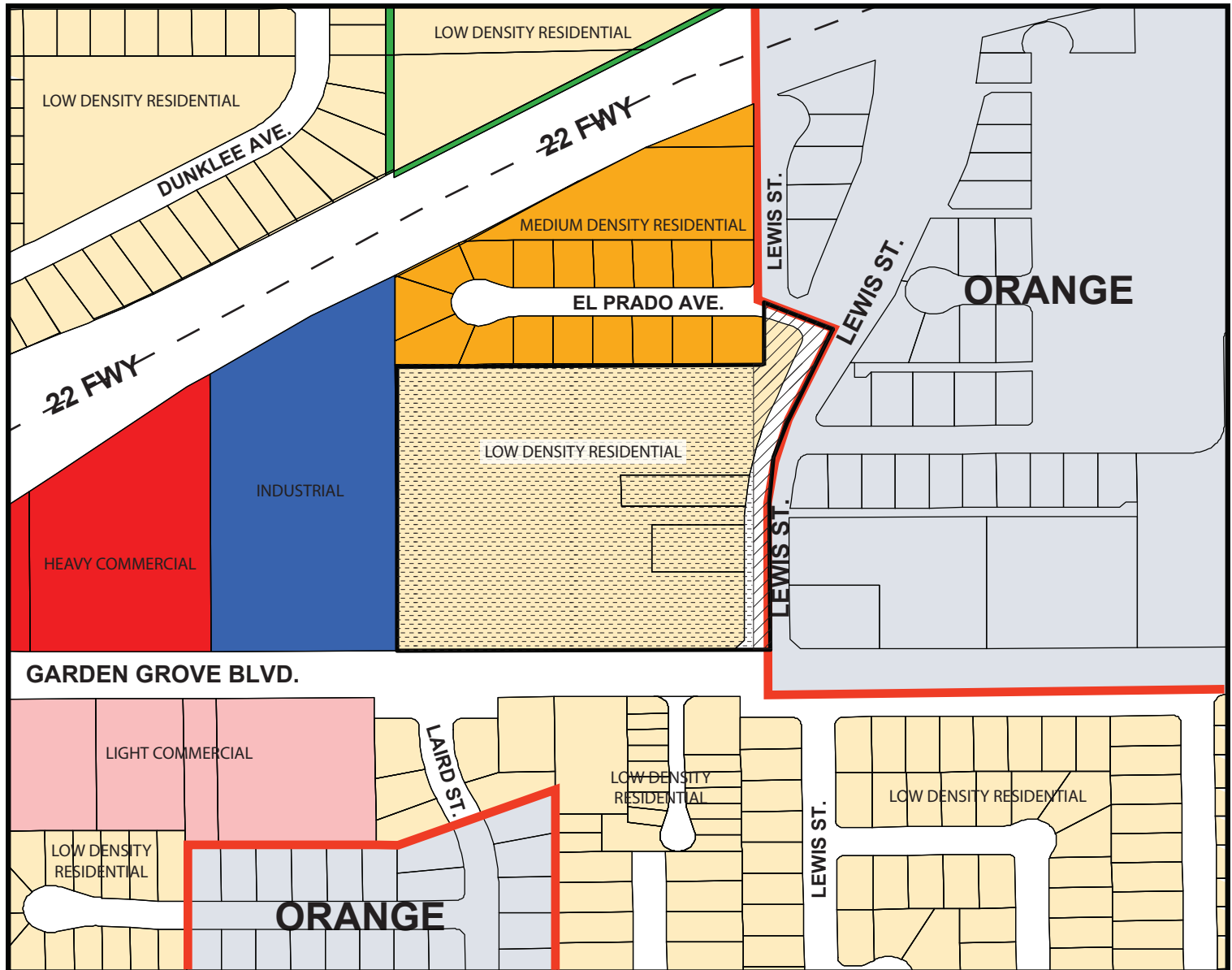
1. The foregoing recitals are true and correct and are incorporated herein by reference.
2. The City Council of the City of Garden Grove hereby makes the following findings regarding General Plan Amendment No. GPA-001-2017:
 - a. Proposed General Plan Amendment No. GPA-001-2017 is internally consistent with the goals, policies, and elements of the General Plan. The proposed General Plan Amendment No. GPA-001-2017 would amend the city of Garden Grove's General Plan Land Use Map to modify the General Plan Land Use Designation of the portion of the project site that is located within the City of Garden Grove from Civic/Institutional to Low Density Residential and include the annexed properties under the General Plan Land Use Designation of Low Density Residential, in order to facilitate annexation of the subject 0.901 acres to the City of Garden Grove and the redevelopment of the combined 9.01 acre site with a gated small lot subdivision with 70 single-family detached residential units on separate lots and related street and open space improvements. The Low Density Residential (LDR) Land Use Designation is intended for the development of single-family residential neighborhoods. According to the General Plan, densities for the LDR designation range from 1 to a maximum of 9 dwelling units per acre. The proposed project will have a net density of 7.8 dwelling units per acre, which is less than the maximum allowed. The proposed General Plan amendment will facilitate the annexation of the subject 0.901 acres to the City of Garden Grove. Annexation of the subject 0.901 acres to the City of Garden Grove is consistent with General Plan Land Use Element Policy LU-14.2, which directs the City to pursue to the extent feasible exchanges of land with contiguous cities, that will rationalize and clarify City boundaries and will provide minimal costs and maximum benefits to the City. The subject 0.901 acres borders the City of Garden Grove, so extension of the City's boundaries to include the property is rational. Further, the additional cost to the City to provide City services to the property will be minimal, and will be offset by the Development Agreement fees, the additional ad valorem property tax revenue and generally applicable City tax and assessment revenue the City will receive. Giving the site a Land Use designation of "Low Density Residential" pursuant to the proposed General Plan Amendment is consistent with the goals and policies of the General Plan Land Use

- Element, including Policy LU-2.4, which encourages the City to assure that the type and intensity of land use shall be consistent with that of the immediate neighborhood. The site's proposed single-family residential type housing is similar and compatible with the surrounding properties, which have both single-family and multi-family housing. Accordingly, City staff finds that the Low Density Residential Land Use designation is appropriate for the site and will ensure that the site is maintained in continuity with surrounding land uses.
- b. The proposed General Plan Amendment will promote the public interest, health, safety and welfare. The proposed General Plan Amendment will facilitate the annexation of the subject 0.901 acres to the City of Garden Grove, thereby rationalizing municipal boundaries in the area, extending police, fire, and other City services to the property. The proposed General Plan Amendment will also facilitate the proposed 70-unit small lot subdivision development, which will ensure that the future use and development of the property will be consistent with the use and development permitted on nearby properties within the City of Garden Grove.
 - c. 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-001-2017 would amend the City of Garden Grove's General Plan Land Use Map to modify the General Plan Land Use Designation of the portion of the project site that is located within the City of Garden Grove from Civic/Institutional to Low Density Residential and include the annexed properties under the General Plan Land Use Designation of Low Density Residential. The Low Density Residential (LDR) Land Use Designation is intended for the development of single-family residential neighborhoods. According to the General Plan, densities for the LDR designation range from 1 to a maximum of 9 dwelling units per acre. The proposed project will have a net density of 7.8 dwelling units per acre, which is below the maximum allowed. The site's proposed single-family residential type housing is similar and compatible with the surrounding properties, which have both single-family and multi-family housing. 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 Low Density Land Use designation to the site will not conflict with other provisions or elements of the General Plan.
3. The facts and reasons stated in Planning Commission Resolution No. 5877-17 recommending approval of General Plan Amendment No. GPA-001-2017, a copy of which is one file in the City Clerk's Office, are incorporated herein by reference with the same force and effect as if set forth in full.



4. General Plan Amendment No. GPA-001-2017 is hereby approved.
5. Upon approval of the Lewis Street Reorganization (RO 01-17) by the Orange County Local Agency Formation Commission, the General Plan Land Use Designation of the portion of the Project site that is located within the City of Garden Grove and the 0.901 acres of property to be annexed, as shown on the attached map, shall be designated as Low Density Residential, and the General Plan Land Use Map shall be amended accordingly. Should the Lewis Street Reorganization (RO 01-17) not be approved, the General Plan Land Use Designation of the portion of the Project site that is located within the jurisdictional boundaries of the City of Garden Grove shall remain Civic/Institutional.
6. This Resolution shall take effect on the thirty-first (31st) day following adoption.
7. The City Clerk shall certify to the adoption of this Resolution.



PROPOSED SPHERE OF INFLUENCE PRE-GENERAL PLAN LAND USE DESIGNATION OF LOW DENSITY RESIDENTIAL GPA-001-2017



LEGEND

-  GENERAL PLAN LAND USE DESIGNATION CHANGE TO LOW DENSITY RESIDENTIAL
-  PRE-GENERAL PLAN LAND USE DESIGNATION OF LOW DENSITY RESIDENTIAL

NOTES

1. SITE ADDRESS - 12901 LEWIS STREET



0 125 250 500 750 1,000 Feet

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING PLANNED UNIT DEVELOPMENT NO. PUD-006-2017 TO AMEND THE CITY'S OFFICIAL ZONING MAP TO CHANGE THE ZONING FOR THE PORTION OF THE PROJECT SITE THAT IS LOCATED WITHIN THE CITY OF GARDEN GROVE AND TO "PRE-ZONE" THE PROPERTIES TO BE ANNEXED TO RESIDENTIAL PLANNED UNIT DEVELOPMENT ZONING (PUD-006-2017) WITH R-1 (SINGLE-FAMILY RESIDENTIAL) BASE ZONING

City Attorney Summary

This Ordinance approves an amendment to the City's Official Zoning Map to change the zoning for the portion of the Project site that is located within the City of Garden Grove and to "pre-zone" the properties to be annexed to Residential Planned Unit Development zoning (PUD-006-2017) with R-1 (Single-Family Residential) base zoning. This Ordinance will take effect if the Resolution approving General Plan Amendment No. GPA-001-2017, adopted by the Garden Grove City Council on May 23, 2017, takes effect.

THE CITY COUNCIL OF THE CITY OF GARDEN GROVE FINDS AND DETERMINES AS FOLLOWS:

WHEREAS, Shea Homes, the applicant, submitted a request to develop a gated small lot subdivision with 70 single-family detached residential units and related street and open space improvements on a 9.01-acre site located in the Cities of Garden Grove and Orange, at the northwest corner of Lewis Street and Garden Grove Boulevard, at 12901 Lewis Street (Assessor's Parcel Nos. 231-041-26, 231-041-27, 231-041-28, and 231-255-01) (the "Property"), which is owned by Christ Catholic Cathedral Facilities Corporation;

WHEREAS, the applicant has requested the following approvals to facilitate the proposed development: (i) detachment from the City of Orange and annexation to the City of Garden Grove and the Garden Grove Sanitary District of 39,328 square feet or 0.901 acres; (ii) General Plan Amendment No. GPA-001-2017 to amend the City of Garden Grove General Plan Land Use Map to apply a General Plan Land Use Designation of Low Density Residential to the Property; (iii) Planned Unit Development No. PUD-006-2017 to rezone and "pre-zone" the Property residential Planned Unit Development with R-1 (Single-Family Residential) base zoning; (iv) Tentative Tract Map No. TT-17927-2017 to subdivide the subject property into 70 single-family residential lots; (v) Site Plan No. SP-028-2017; and (vi) Development Agreement No. DA-006-2017 (collectively, the "Project");

WHEREAS, following a Public Hearing held on April 6, 2017, the Garden Grove Planning Commission (1) adopted Resolution No. 5877-17 recommending the City Council adopt a Mitigated Negative Declaration and associated Mitigation Monitoring and Reporting Program for the Project and approve General Plan

Amendment No. GPA-001-2017 and Planned Unit Development No. PUD-006-2017, and (2) adopted Resolution No. 5878-17 approving Site Plan No. SP-028-2017 and Tentative Tract Map No. TT-17927-2017, subject to (i) the City Council's approval of a Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the Project, General Plan Amendment No. GPA-001-2017, Planned Unit Development No. PUD-006-2017, and Development Agreement No. DA-006-2017; and (ii) LAFCO approval of the proposed sphere of influence amendments and detachment/annexation;

WHEREAS, on May 23, 2017, the City Council adopted Resolution No. [REDACTED] adopting a Mitigated Negative Declaration and an associated Mitigation Monitoring and Reporting Program for the Project;

WHEREAS, on May 23, 2017, the Garden Grove City Council adopted Resolution No. [REDACTED] authorizing initiation of, and recommending the Orange County Local Agency Formation Commission (LAFCO) take, proceedings for the Lewis Street Reorganization (RO 01-17), consisting of the detachment and annexation of approximately 0.901 acres of territory from the City of Orange to the City of Garden Grove and the Garden Grove Sanitary District, and related sphere of influence changes, in the manner provided by the Cortese/Knox/Hertzberg Local Government Reorganization Act of 2000;

WHEREAS, on May 23, 2017, the Garden Grove City Council adopted Resolution No. [REDACTED] approving General Plan Amendment No. GPA-001-2017 to amend the City of Garden Grove's General Plan Land Use Map (1) to modify the General Plan Land Use Designation of the portion of the project site that is located within the City of Garden Grove from Civic/Institutional to Low Density Residential and (2) to apply the General Plan Land Use Designation of Low Density Residential to the territory to be annexed, upon approval of the Lewis Street Reorganization (RO 01-17) by the Orange County Local Agency Formation Commission;

WHEREAS, the adoption of the necessary land use actions by the City of Garden Grove to extend the City's General Plan to cover the properties to be annexed and to "pre-zone" the properties are prerequisites to LAFCO's approval of the proposed sphere of influence amendments and detachment/annexation;

WHEREAS, proposed Planned Unit Development No. PUD-006-2017 would amend the City of Garden Grove Zoning Map to "pre-zone" the portion of the Property to be annexed and to change the zoning of the portion of the Property located in Garden Grove to Residential Planned Unit Development zoning (PUD-006-2017) with R-1 (Single-Family Residential) base zoning, incorporating the special requirements for Small Lot Subdivisions set forth in Garden Grove Municipal Code Section 9.12.040.060 as the applicable development standards for the Planned Unit Development PUD-006-2017 and Tentative Tract Map No. TT-17927-2017 and Site Plan No. SP-028-2017 and their associated conditions of approval as the development plan for the Planned Unit Development PUD-006-2017;

WHEREAS, pursuant to a legal notice, a Public Hearing was held by the City Council on May 23, 2017, and all interested persons were given an opportunity to be heard;

WHEREAS, the City Council gave due and careful consideration to the matter during its meeting of May 23, 2017; and

WHEREAS, the City Council of the City of Garden Grove hereby makes the following findings regarding Planned Unit Development No. PUD-006-2017:

A. The location of the buildings, architectural design, and proposed use are compatible with the character of existing residential development in the vicinity, and the Project will be well-integrated into its setting. The Project is designed to be an attractive, modern small-lot, single-family residential community that is within the allowable density for the Low Density Residential General Plan Land Use Designation and complies with the special requirements for Small Lot Subdivisions set forth in Garden Grove Municipal Code Section 9.12.040.060. The proposed development includes active open space along with private rear yard areas for the individual property owners. The main entry into the development is from Lewis Street and includes decorative paving, enhanced landscaping, and fencing. The new development will improve the site and is in keeping with well-designed modern residences. The site's proposed single-family residential type housing is similar and compatible with the surrounding properties, which have both single-family and multi-family housing. The design of the project provides a community of single-family homes on the site that will improve the appearance of the neighborhood.

B. The plan will produce a stable and desirable environment and will not cause undue traffic congestion on surrounding streets. The design of the Project complies with the spirit and intent of the Garden Grove Municipal Code for residential development. The City's Traffic Engineering Division has reviewed the plan and all appropriate conditions of approval have been incorporated to minimize any adverse impacts on surrounding streets. In addition, a traffic impact analysis for the Project was prepared by the City's consultant in conjunction with preparation of the Initial Study for the Project, which concludes that the additional vehicle trips anticipated to be generated as a result of the Project will have a less than significant impact on traffic congestion at impacted nearby intersections.

C. Provision is made for both public and private open spaces. The Project has been designed in accordance with City Code provisions for providing an adequate amount of public and private open spaces as required by the City's Small-Lot Subdivision Ordinance. The site provides active open space/recreation areas for the prospective residents.

D. Provision is made for the protection and maintenance of private areas reserved for common use. The conditions of approval for the Project require the formation of a Homeowners Association (HOA) and recordation of CC&Rs

(Covenants, Conditions, and Restrictions) providing for long-term maintenance of common areas by the Homeowners' Association, which will be enforceable by the City. Through the conditions of approval for the Project, all necessary agreements for the protection and maintenance of private areas reserved for common use will be in place prior to the start of construction and will be required to be adhered to for the life of the Project.

E. The quality of the Project achieved through the proposed Planned Unit Development zoning is greater than could be achieved under the current zoning. The Project was designed to create a residential community with a combination of active open space areas, landscaped streets, and on-street guest parking areas on the site. The PUD zoning allows the project to be designed as an integrated community on a network of streets and driveways. The Project meets City Code standards for parking, vehicle access and circulation, and landscaping. The PUD zoning allows the Project to have an overall quality that is greater than the current zoning as it allows a more integrated design of single-family buildings. The design creates a sense of neighborhood with sidewalks, tree-lined streets, and shared open space amenities.

F. Proposed Planned Unit Development No. PUD-006-2017 is consistent with the General Plan. As part of the Project, the City's Zoning Map would be amended to adopt Residential Planned Unit Development zoning (PUD-006-2017) with R-1 (Single-Family Residential) base zoning for the portion of the project site that is located within the city of Garden Grove and amend the City's official Zoning Map to "pre-zone" the annexed properties and adopt Residential Planned Unit Development zoning (PUD-006-2017) with R-1 (Single-Family Residential) base zoning. The zoning of the site and pre-zoning of the properties to be annexed to Residential Planned Unit Development zoning (PUD-006-2017) with R-1 (Single-Family Residential) base zoning is consistent with the proposed General Plan Land Use designation of Low Density Residential. The Low Density Residential (LDR) Land Use Designation is intended for the development of single-family residential neighborhoods. According to the General Plan, densities for the LDR designation range from 1 to a maximum of 9 dwelling units per acre. The proposed project will have a net density of 7.8 dwelling units per acre, which is below the maximum allowed. The proposed adoption of Residential Planned Unit Development zoning (PUD-006-2017) with R-1 (Single-Family Residential) base zoning will also facilitate the annexation of the subject 0.901 acres to the City of Garden Grove, which is consistent with General Plan Land Use Element Policy LU-14.2, which directs the City to pursue to the extent feasible exchanges of land with contiguous cities, that will rationalize and clarify City boundaries and will provide minimal costs and maximum benefits to the City. The subject 0.901 acres borders the city of Garden Grove, so extension of the City's boundaries to include the property is rational. Further, the additional cost to the City to provide City services to the property will be minimal, and will be offset by the Development Agreement fees, the additional ad valorem property tax revenue and generally applicable City tax and assessment revenue the City will receive.

G. Proposed adoption of Planned Unit Development No. PUD-006-2017, with R-1 (Single-Family Residential) base zoning, will promote the public interest, health, safety and welfare. The proposed adoption of Planned Unit Development No. PUD-006-2017, with R-1 (Single-Family Residential) base zoning will facilitate the annexation of the subject 0.901 acres to the City of Garden Grove, thereby rationalizing municipal boundaries in the area, extending police, fire, and other City services to the property. In conjunction with the proposed adoption of Planned Unit Development No. PUD-006-2017, with R-1 (Single-Family Residential) base zoning, the proposed 70-unit small lot subdivision development will ensure that the future use and development of the property will be consistent with the use and development permitted on nearby properties within the City of Garden Grove.

H. The parcels covered by the proposed amendment to the Zone Map are physically suitable for the Planned Unit Development No. PUD-006-2017, with R-1 (Single-Family Residential) base zoning, pre-zoning designation. The adoption of Planned Unit Development No. PUD-006-2017, with R-1 (Single-Family Residential) base zoning, for the Property would allow for the subject site to be redeveloped with a gated small lot subdivision with 70 single-family detached residential units on separate lots and related street and open space improvements. The site is a large contiguous site with access to all necessary public infrastructure to adequately serve the proposed residential development. The proposed development meets the development standards for Small Lot Subdivisions set forth in Garden Grove Municipal Code Section 9.12.040.060 and is large enough to accommodate the required parking on-site. The net density of the Property with the proposed Project would be 7.8 dwelling units per acre, which is below the maximum allowed for the Low Density General Plan Land Use Designation.

I. The parcels covered by the proposed amendment to the Zone Map are compatible with surrounding land uses, and the proposed zoning of the site and pre-zoning of the properties to be annexed to Residential Planned Unit Development zoning (PUD-006-2017), with R-1 (Single-Family Residential) base zoning, will ensure a degree of compatibility with the surrounding properties and uses. Surrounding properties contain single-family and multi-family residential housing. Adoption of Planned Unit Development No. PUD-006-2017, with R-1 (Single-Family Residential) base zoning, for the Property would allow for the subject site to be redeveloped with a gated small lot subdivision with 70 single-family detached residential units on separate lots and related street and open space improvements, converting the use of the Property to a use similar to the use of the surrounding properties. A Planned Unit Development (PUD) is a precise plan, adopted by ordinance that provides the means for the regulation of buildings, structures and uses of land in order to facilitate the implementation of the General Plan. Pursuant to Garden Grove Municipal Code Section 9.16.030, the regulations of the planned unit development are intended to provide for a diversity of uses, relationships, and open spaces in an innovative land plan and design, while ensuring compliance with the provisions of the Municipal Code. A small lot subdivision development adds to the diversity of existing uses, through innovative land plan and design, while ensuring that the proposed development is suitable and compatible with existing surrounding uses. The zoning of the site and pre-zoning of the properties to be

annexed to Residential Planned Unit Development zoning (PUD-006-2017) with R-1 (Single-Family Residential) base zoning is consistent with the proposed General Plan Land Use designation of Low Density Residential, and the proposed single-family residential type housing will be similar and compatible with the surrounding properties and uses.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDEN GROVE DOES ORDAIN AS FOLLOWS:

Section 1. The City Council finds that the above recitations are true and correct.

Section 2. The facts and reasons stated in Planning Commission Resolution No. 5877-17 recommending approval of General Plan Amendment No. GPA-001-2017 and Planned Unit Development No. PUD-006-2017, a copy of which is on file in the Office of the City Clerk, are hereby incorporated herein by reference with the same force and effect as if set forth in full.

Section 3. Planned Unit Development No. PUD-006-2017 is hereby approved.

Section 4. Upon approval of the Lewis Street Reorganization (RO 01-17) by the Orange County Local Agency Formation Commission, the zoning of the portion of the Project site that is located within the City of Garden Grove shall be re-zoned, and the territory to be annexed shall be pre-zoned, to Residential Planned Unit Development zoning (PUD-006-2017) with R-1 (Single-Family Residential) base zoning, as shown on the attached map. Zone Map part T-12 shall be amended accordingly. Upon the effective date of annexation of the property to the City of Garden Grove pursuant to the Lewis Street Reorganization (RO 01-17), the zoning designation of said annexed property shall be Residential Planned Unit Development zoning (PUD-006-2017) with R-1 (Single-Family Residential) base zoning. Should the Lewis Street Reorganization (RO 01-17) not be approved, the zoning designation of the portion of the Project site that is located within the jurisdictional boundaries of the City of Garden Grove shall not change and shall remain as it existed immediately prior to the effective date of this Ordinance.

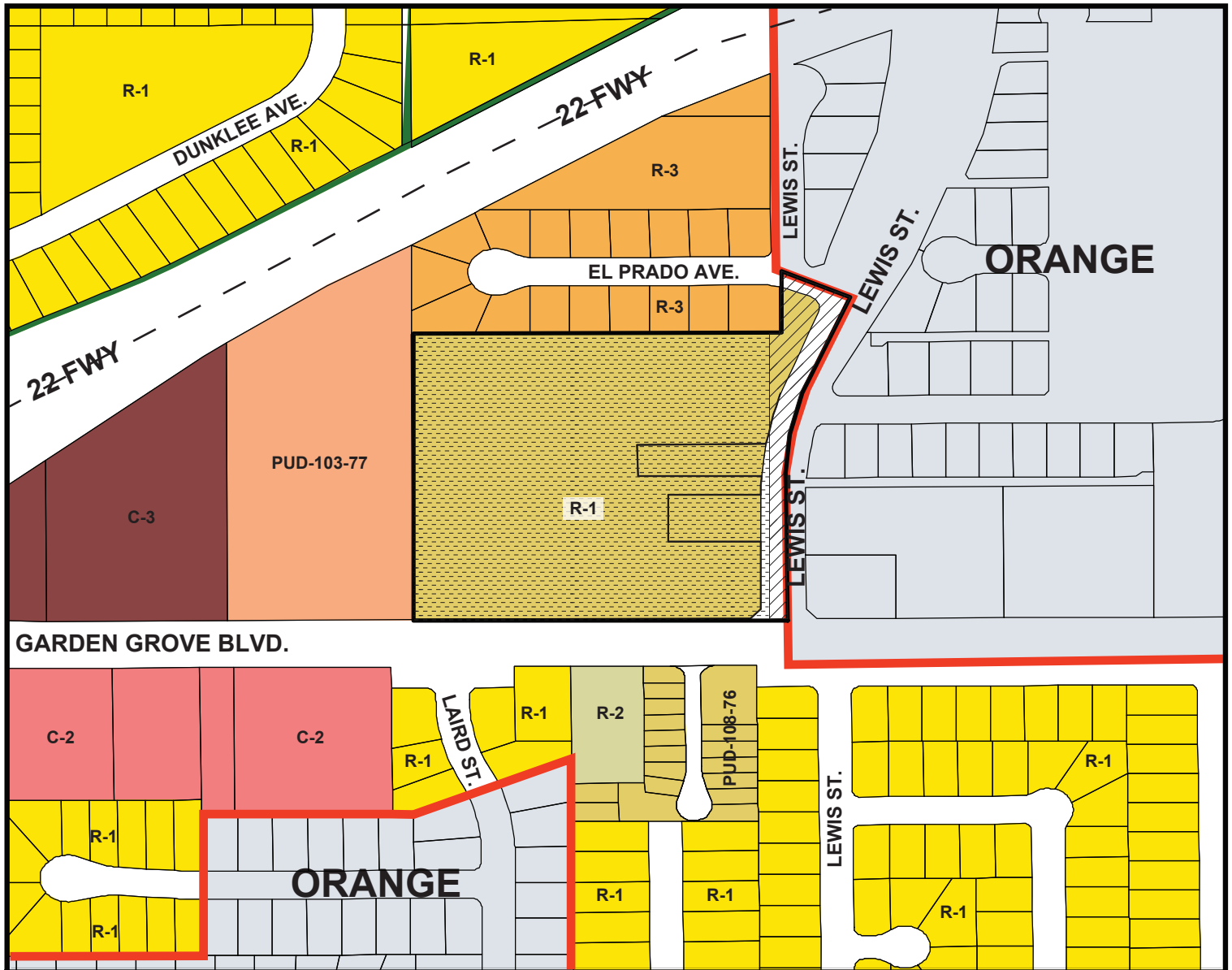
Section 5. Severability. If any section, subsection, subdivision, sentence, clause, phrase, word, or portion of this Ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining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

Section 6. The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same, or the summary thereof, to be published and posted pursuant to the provisions of law and this Ordinance

shall take effect on the later of (i) the date that is thirty (30) days after adoption, or (ii) the date the Resolution approving General Plan Amendment No. GPA-001-2017 becomes effective.



PROPOSED SPHERE OF INFLUENCE PRE-ZONE TO PLANNED UNIT DEVELOPMENT NO. PUD-006-2017



LEGEND

- RE-ZONE TO PUD-006-2017 WITH BASE ZONE OF R-1-6
- PRE-ZONE TO PUD-006-2017 WITH BASE ZONE OF R-1-6



0 125 250 500 750 1,000 Feet

NOTES

1. SITE ADDRESS - 12901 LEWIS STREET

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF GARDEN GROVE AND CHRIST CATHOLIC CATHEDRAL FACILITIES CORPORATION FOR PROPERTY LOCATED ON THE NORTHWEST CORNER OF LEWIS STREET AND GARDEN GROVE BOULEVARD, AT 12901 LEWIS STREET, ASSESSOR'S PARCEL NOS. 231-041-26, 231-041-27, 231-041-28, AND 231-255-01

City Attorney Summary

This Ordinance approves a Development Agreement between the City of Garden Grove and Christ Catholic Cathedral Facilities Corporation, the owner and developer of a 70 unit single-family residential small lot subdivision and related improvements on a 9.01-acre located on the northwest corner of Lewis Street and Garden Grove Boulevard, at 12901 Lewis Street, Assessor's Parcel Nos. 231-041-26, 231-041-27, 231-041-28, and 231-255-01. The agreement provides that the developer will be entitled to build the project in accordance with the land use entitlements approved pursuant to General Plan Amendment No. GPA-001-2017, Planned Unit Development No. PUD-006-2017, Site Plan No. SP-028-2017, and Tentative Tract Map No. TT-17927-2017 for a period of 4 years from the date that the General Plan and Zoning Map amendments reflected in General Plan Amendment No. GPA-001-2017 and Planned Unit Development No. PUD-006-2017 take effect. The agreement further provides for a development agreement payment to the City of Garden Grove in an amount not to exceed \$134,120.00.

THE CITY COUNCIL OF THE CITY OF GARDEN GROVE HEREBY FINDS AND DETERMINES AS FOLLOWS:

WHEREAS, the City of Garden Grove has received an application from Christ Catholic Cathedral Facilities Corporation and Shea Homes for Development Agreement No. DA-006-2017 for the development of a gated small lot subdivision with 70 single-family detached residential units and related street and open space improvements on a 9.01-acre site located in the Cities of Garden Grove and Orange, at the northwest corner of Lewis Street and Garden Grove Boulevard, at 12901 Lewis Street (Assessor's Parcel Nos. 231-041-26, 231-041-27, 231-041-28, and 231-255-01) (the "Property"), which is owned by Christ Catholic Cathedral Facilities Corporation;

WHEREAS, the applicant has requested the following approvals to facilitate the proposed development: (i) detachment from the City of Orange and annexation to the City of Garden Grove and the Garden Grove Sanitary District of 39,328 square feet or 0.901 acres; (ii) General Plan Amendment No. GPA-001-2017 to amend the City of Garden Grove General Plan Land Use Map to apply a General Plan Land Use Designation of Low Density Residential to the Property; (iii) Planned Unit Development No. PUD-006-2017 to rezone and "pre-zone" the Property residential

Planned Unit Development with R-1 (Single-Family Residential) base zoning; (iv) Tentative Tract Map No. TT-17927-2017 to subdivide the subject property into 70 single-family residential lots; (v) Site Plan No. SP-028-2017; and (v) Development Agreement No. DA-006-2017 (collectively, the "Project");

WHEREAS, following a Public Hearing held on April 6, 2017, the Garden Grove Planning Commission (1) adopted Resolution No. 5877-17 recommending the City Council adopt a Mitigated Negative Declaration and associated Mitigation Monitoring and Reporting Program for the Project and approve General Plan Amendment No. GPA-001-2017 and Planned Unit Development No. PUD-006-2017, and (2) adopted Resolution No. 5878-17 approving Site Plan No. SP-028-2017 and Tentative Tract Map No. TT-17927-2017, subject to (i) the City Council's approval of a Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the Project, General Plan Amendment No. GPA-001-2017, Planned Unit Development No. PUD-006-2017, and Development Agreement No. DA-006-2017; and (ii) LAFCO approval of the proposed sphere of influence amendments and detachment/annexation;

WHEREAS, following a duly noticed Public Hearing, the City Council adopted Resolution No. [REDACTED] during its meeting on May 23, 2017, adopting a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Project pursuant to the California Environmental Quality Act, California Public Resources Section 21000 et seq. ("CEQA") and CEQA's implementing guidelines, California Code of Regulations, Title 14, Sections 15000 et seq.;

WHEREAS, on May 23, 2017, the Garden Grove City Council adopted Resolution No. [REDACTED] authorizing initiation of, and recommending the Orange County Local Agency Formation Commission (LAFCO) take, proceedings for the Lewis Street Reorganization (RO 01-17), consisting of the detachment and annexation of approximately 0.901 acres of territory from the City of Orange to the City of Garden Grove and the Garden Grove Sanitary District, and related sphere of influence changes, in the manner provided by the Cortese/Knox/Hertzberg Local Government Reorganization Act of 2000;

WHEREAS, pursuant to Resolution No. [REDACTED], adopted on May 23, 2017, the City Council approved General Plan Amendment No. GPA-001-2017 to amend the City of Garden Grove's General Plan Land Use Map (1) to modify the General Plan Land Use Designation of the portion of the Property that is located within the City of Garden Grove from Civic/Institutional to Low Density Residential and (2) to apply the General Plan Land Use Designation of Low Density Residential to the territory to be annexed, upon approval of the Lewis Street Reorganization (RO 01-17) by the Orange County Local Agency Formation Commission;

WHEREAS, pursuant to Ordinance No. ____, introduced on May 23, 2017 and adopted on _____, 2017, the City Council approved Planned Unit Development No. PUD-006-2017 to amend the City of Garden Grove Zoning Map to "pre-zone" the portion of the Property to be annexed and to change the zoning of the portion of the Property located in Garden Grove to Residential Planned Unit

Development zoning (PUD-006-2017) with R-1 (Single-Family Residential) base zoning, upon approval of the Lewis Street Reorganization (RO 01-17) by the Orange County Local Agency Formation Commission;

WHEREAS, Development Agreement No. DA-06-2017 is consistent with the General Plan Land Use Designation of Low Density Residential and zoning designation of PUD-006-2017, including the goals and policies of the Garden Grove General Plan; and

WHEREAS, pursuant to a legal notice, a Public Hearing was held by the City Council on May 23, 2017, and all interested persons were given an opportunity to be heard.

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

Section 1. Recitals. The City Council finds that the above recitations are true and correct.

Section 2. Environmental Review. City Council Resolution No. [REDACTED] adopting a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Project is incorporated by reference as if set forth fully herein.

Section 3. Approval. Development Agreement No. DA-006-2017 is hereby adopted for property located on the northwest corner of Lewis Street and Garden Grove Boulevard, at 12901 Lewis Street, Assessor's Parcel Nos. 231-041-26, 231-041-27, 231-041-28, and 231-255-01. A copy of Development Agreement No. DA-006-2017 is attached to this Ordinance and is on file in the City Clerk's Office.

Section 4. Recording. Pursuant to California Government Code Section 65868.5, the City Clerk shall record a copy of the Development Agreement with the County Recorder for the County of Orange within 10 days after the Development Agreement is executed.

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

Section 6. The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same, or the summary thereof, to be published and posted pursuant to the provisions of law and this Ordinance shall take effect thirty (30) days after adoption, or (ii) the date the

Resolution approving General Plan Amendment No. GPA-001-2017 becomes effective.

RECORDING REQUESTED BY)
AND WHEN RECORDED MAIL TO:)

City Clerk's Office)
City of Garden Grove)
11222 Acacia Parkway)
Garden Grove, CA 92840)
)
)

(Space above for Recorder.)

This document is exempt from payment of a recording fee pursuant to Government Code Section 6103.

Dated: _____

DEVELOPMENT AGREEMENT NO. DA-006-2017

SP-028-2017 and TT-17927-2017

(Christ Catholic Cathedral Facilities Corporation)

THIS DEVELOPMENT AGREEMENT ("Agreement" or "Development Agreement") is made this ___ day of _____, 2017, by the CITY OF GARDEN GROVE, a municipal corporation ("CITY"), on the one hand, and Christ Catholic Cathedral Facilities Corporation, a California nonprofit religious corporation ("DEVELOPER"), on the other hand, pursuant to the authority set forth in Article 2.5 of Chapter 4 of Division I of Title 7, Sections 65864 through 65869.5 of the California Government Code.

RECITALS

The following recitals are a substantive part of this Agreement:

- A. The CITY and DEVELOPER desire to enter into this Development Agreement for the construction of a 70-unit single-family residential small-lot subdivision on a 9.01-acre site and related improvements (the "PROJECT") on that certain real property located on the northwest corner of Lewis Street and Garden Grove Boulevard, at 12901 Lewis Street, Assessor's Parcel Nos. 231-041-26, 231-041-27, 231-041-28, & 231-255-01, which is described on Exhibit "A" attached hereto and incorporated herein by reference (the "Property").

- B. In order to implement the PROJECT, DEVELOPER has requested approval of, and CITY has approved, General Plan Amendment No. GPA-001-2017 applying a General Plan Land Use Designation of Low Density Residential to the Property, Planned Unit Development No. PUD-006-2017 applying Residential Planned Unit Development zoning with R-1 (Single-Family Residential) base zoning to the Property, Tentative Tract Map No. TT-17927-2017, Site Plan No. SP-028-2017, and associated Conditions of Approval, for the PROJECT. The effectiveness of each of the foregoing approvals is subject to approval by the Orange County Local Agency Formation Commission ("LAFCO") of a proposed detachment of approximately 0.901 acres of the Property from the City of Orange and annexation of said portion of the Property to the City of Garden Grove, along with related amendments to the Cities' spheres of influence. On May 23, 2017, the City Council adopted a Mitigated Negative Declaration and an associated Mitigation Monitoring and Reporting Program for the Project.
- C. The CITY, and DEVELOPER desire to enter into this Development Agreement for the construction of the PROJECT pursuant to Article 2.5 (commencing with Section 65864) of Chapter 4 of Division 1 of Title 7 of the California Government Code (the "Development Agreement Statute").
- D. The PROJECT is a development requiring certain discretionary approvals by the CITY before it may be constructed.
- E. The Development Agreement Statute provides the authority for CITY to enter into binding development agreements with a person having a legal and equitable interest in real property.
- F. DEVELOPER represents that it owns the PROPERTY in fee.
- G. As consideration for the benefits gained by DEVELOPER from the vested rights acquired pursuant to the Development Agreement Statute, CITY is requiring that DEVELOPER construct and install as part of development of the PROJECT certain public improvements and provide other public benefits

AGREEMENT

THE PARTIES MUTUALLY AGREE AS FOLLOWS:

1. **DURATION.** This Development Agreement and Site Plan No. SP-028-2017 and Tentative Tract Map No. TT-17927-2017 shall expire four (4) years from the date that the General Plan and Zoning Map amendments reflected in General Plan Amendment No. GPA-001-2017 and Planned Unit Development No. PUD-006-2017 take effect, unless any duty specified remains executory, in which case this Agreement may be renewed for a successive one year term

at discretion of CITY, pursuant to law, until all duties are performed. In the event that the General Plan and Zoning Map amendments reflected in General Plan Amendment No. GPA-001-2017 and Planned Unit Development No. PUD-006-2017 fail to take effect due to denial by LAFCO of the proposed detachment/annexation and related sphere of influence amendments, or for any other reason, this Development Agreement shall be deemed null and void and DEVELOPER shall have no rights hereunder.

2. Permitted Uses/Land Use Entitlements. The following uses are permitted on the PROPERTY: A 70-unit single-family residential small-lot subdivision that includes 70 two-story, single-family homes along with active common usable open space for recreational purposes. The units range in size from 2,451 square feet to 2,689 square feet. The PROJECT has been granted the following land use entitlements: General Plan Amendment No. GPA-001-2017, Planned Unit Development No. PUD-006-2017, and Site Plan No. SP-028-2017 and Tentative Tract Map No. TT-17927-2017 (subject to associated conditions of approval). A Mitigated Negative Declaration and an associated Mitigation Monitoring and Reporting Program for the PROJECT have been adopted. Development of the PROJECT is permitted in accordance with Planned Unit Development No. PUD-006-2017. Except as otherwise expressly provided in Planned Unit Development No. PUD-006-2017, the PROJECT is subject to the development standards of the City's Small Lot Subdivision Ordinance (Section 9.12.40.060: Special Requirements Small Lot Subdivisions of Title 9 of the City's Municipal Code) and the base zoning of R-1 (Single-Family Residential) and the Conditions of Approval to Site Plan No. SP-028-2017 and Tentative Tract Map No. TT-17927-2017.
3. Density/Intensity. The density or intensity of the PROJECT is as follows: Single-family residential small-lot subdivision project consisting of 70 two-story units with related improvements on a 9.01-acre site, resulting in a net density of 7.8 dwelling units per acre.
4. Maximum Height and Building Size. The maximum height and building sizes are as follows: The maximum building height shall be two (2) stories with an overall height not to exceed 28'-0" and the building area is comprised of 70 single-family dwelling units ranging in size from 2,451 square feet to 2,689 square feet, as indicated on the approved site plan, floor plan, and elevations.
5. Reservation or Dedication. The reservation of easements or dedication of property to the CITY to allow the construction of the proposed residential development shall be as shown on and/or conditioned in the approved Site Plan No. SP-028-2017 and Tentative Tract Map No. TT-17927-2017.
6. Improvements. The improvements described in Planning Commission Resolution No. 5878-17 shall be constructed prior to the occupancy of the

proposed development or the issuance of any certificate of occupancy for any unit of the development, all in accordance with the terms and conditions of Site Plan No. SP-028-2017 and Tentative Tract Map No. TT-17927-2017.

7. Scope of PROJECT. The PROJECT shall consist of a single-family residential project consisting of two-story homes that range in size from 2,451 square feet to 2,689 square feet, for a total of 70 dwelling units with related improvements.
8. Resolution/Material Terms. All Conditions of Approval of Site Plan No. SP-028-2017 and Tentative Tract Map No. TT-17927-2017, as per Planning Commission Resolution No. 5878-17, attached hereto and incorporated herein as "Exhibit B," are material terms of this Development Agreement. Breach of any condition of approval shall be deemed to be a breach of this Development Agreement.
9. Development Agreement Payment. DEVELOPER shall pay a development agreement payment to the CITY as follows:
 - 9.1 Amount. \$750 per unit and shall be paid prior to issuance of any building permits.
 - 9.2 Amount. The DEVELOPER shall make a contribution of \$1,166 per unit toward construction of a Fire Station, including, but not limited to, related equipment, furnishings, and fixtures, etc., as part of this Development Agreement and shall be paid prior to issuance of any building permits.
 - 9.3 Not to Exceed. Payment under this Development Agreement shall not exceed \$134,120.00.
10. City Agreement. CITY agrees that the sums to be paid to the CITY, pursuant to Paragraph 9, will reimburse CITY for the cost of certain CITY services required by the PROJECT that are not otherwise being reimbursed to CITY.
11. Payment Due Date. The payment amount of \$134,120.00 shall be due and payable prior to the issuance of building permits for the PROJECT.
12. Termination Provisions. This Agreement may be terminated upon the happening of any of the following events:
 - A. Failure of DEVELOPER to perform any of the provisions of this Agreement, or
 - B. Mutual agreement of the parties.

13. Periodic Review. CITY's Director of Community and Economic Development shall review DEVELOPER'S performance every twelve (12) months at the anniversary of the adoption of this Development Agreement. DEVELOPER shall demonstrate good faith compliance with the terms of this Agreement. If as a result of the review, CITY's Community and Economic Development Director determines that DEVELOPER has not demonstrated good faith compliance with this Agreement, CITY shall hold a public hearing before CITY's City Council. If, following such public hearing, CITY's City Council finds and determines, based upon substantial evidence, that DEVELOPER has not complied in good faith with terms or conditions of this Agreement, CITY may terminate the Agreement.
14. City Discretion. So long as this Development Agreement remains in effect, DEVELOPER shall have the full vested right to construct and complete development of the PROJECT and the use of the PROPERTY consistent with the land use entitlements identified in Paragraph 2. Otherwise, CITY retains its right and discretion, under all applicable Codes, to approve or disapprove any item related to this PROJECT that it has not specifically agreed to via this Agreement. DEVELOPER acknowledges that it shall comply with all CITY requirements for applications and permits of any nature that apply to the PROJECT and the PROPERTY and that this Development Agreement does not relieve DEVELOPER of the necessity of filing applications for and obtaining any such permits.
15. Improvement Schedule. The following improvements shall be constructed by the stated dates:

All repairs and improvements to the public right-of-way required pursuant to Planning Commission Resolution No. 5878-17 shall be completed prior to the issuance of any certificates of occupancy or release of any public utilities.
16. Developer Breach. Failure of DEVELOPER to construct improvements as specified, or to pay amounts specified in a timely fashion, shall result in the withholding of building permits, any other permit or certificate of occupancy until the breach is remedied.
17. Non-Liability of Officials and Employees of the City. No official or employee of CITY shall be personally liable to DEVELOPER in the event of any default or breach by CITY, or for any amount that will become due to DEVELOPER, or any obligation under the terms of this Agreement.
18. Notices. All notices shall be personally delivered or mailed to the below listed address, or to such other address as may be designated by written notice. These addresses shall be used for delivery of service of process.

- A. Address of DEVELOPER is as follows:
Christ Catholic Cathedral Facilities Corporation
13280 Chapman Avenue
Garden Grove, CA 92840
- B. Address of CITY is as follows:
City of Garden Grove
11222 Acacia Parkway
Garden Grove, CA 92840
19. DEVELOPER'S Proposal. The PROJECT shall include DEVELOPER's proposal, as modified by Planning Commission and City Council, including all Conditions of Approval contained in Planning Commission Resolution No. 5878-17, which shall be incorporated herein by this reference. In the event of any inconsistency between terms of the proposal and this Agreement, the terms of this Agreement shall govern.
20. Licenses, Permits, Fees, and Assessments. At its sole expense, DEVELOPER shall obtain all licenses, permits, and approvals as may be required by this Agreement, or by the nature of the PROJECT.
21. Time of Essence. Time is of the essence in the performance of this Agreement.
22. Successor's In Interest. The provisions of this Agreement shall be binding upon and inure to successors in interest of the parties and shall be specifically binding upon and for the benefit of any future lessees or other owners of an interest in PROPERTY.
23. Authority to Execute. The persons executing this Agreement on behalf of the parties warrant that they are duly authorized to execute this Agreement and that by executing this Agreement, the parties are formally bound.
24. Indemnification. DEVELOPER agrees to protect, defend, and hold harmless CITY and their elective or appointive boards, officers, agents, and employees from any and all claims, liabilities, expenses or damages of any nature, including attorneys' fees, for injury or death of any person, or damage to property, or interference with use of property, arising out of, or in any way connected with performance of this Development Agreement by DEVELOPER, DEVELOPER'S agents, officers or employees, developers, contractors, or subcontractors hired by DEVELOPER.
25. Modification. This Agreement constitutes the entire agreement between the parties and supersedes any previous agreements, oral or written, regarding the subject matter set forth herein. This Agreement may be modified only by subsequent mutual written agreement executed by CITY and the DEVELOPER

and approved by CITY in accordance with the Development Agreement Statute.

26. Recordation. The City Clerk shall cause this Agreement to be recorded against the PROPERTY within ten (10) days of the effective date of the Garden Grove City Council Ordinance approving this Development Agreement.
27. Remedies. The breach or default of any term or provision of this Agreement by either party shall give the nondefaulting party the right to proceed with any and all remedies set forth in this Agreement, including an action for damages, an action or proceeding at law or in equity to require the defaulting party to perform its obligations and covenants under this Agreement or to enjoin acts or things which may be unlawful or in violation of the provisions of this Agreement, and the right to terminate this Agreement.
28. Force Majeure. Subject to the party's compliance with the notice requirements as set forth below, performance by either party hereunder shall be deemed to be in default, and all performance and other dates specified in this Agreement shall be extended, where delays or default are due to causes beyond the control and without the fault of the party claiming an extension of time to perform, which may include, without limitation, the following: war, insurrection, strikes, lockouts, riots, floods, earthquakes, fires, assaults, acts of God, acts of the public enemy, epidemics, quarantine restrictions, freight embargoes, lack of transportation, governmental restrictions or priority, litigation, unusually severe weather, inability to secure necessary labor, material or tools, acts or omissions of the other party, or acts or failures to act of any public or governmental entity (except that the City's acts or failure to act shall not excuse performance of the City hereunder). An extension of the time for any such cause shall be for the period of the enforced delay and shall commence to run from the time of the commencement of the cause, if notice by the party claiming such extension is sent to the other party within thirty (30) days of the commencement of the cause.
29. Attorney's Fees. In addition to any other remedies provided hereunder or available pursuant to law, if either party brings an action or proceeding to enforce, protect or establish any right or remedy hereunder, the prevailing party shall be entitled to recover from the other party its costs of suit and reasonable attorney's fees.
30. Remedies Cumulative. No right, power, or remedy given by the terms of this Agreement is intended to be exclusive of any other right, power, or remedy; and each other and every such right, power, remedy shall be cumulative and in addition to every other right, power, or remedy given by the terms of any such instrument, or by any statute or otherwise.

31. Waiver of Terms and Conditions. The CITY may, in its sole discretion, waive in writing any of the terms and conditions of this Agreement. Waivers of any covenant, term, or condition contained herein shall not be construed as a waiver of any subsequent breach of the same covenant, term, or condition.
32. Non-Liability of City Officials and Employees. No member, official, employee or agent of the CITY shall be personally liable to the DEVELOPER, or any successor in interest, in the event of any default or breach by the CITY or for any amount that may become due to the DEVELOPER or its successors, or on any obligations under the terms of this Agreement.

[SIGNATURES ON FOLLOWING PAGE]

IN WITNESS WHEREOF, these parties have executed this Agreement on the day and year shown below.

Date: _____

"CITY"
CITY OF GARDEN GROVE, a
municipal corporation

BY _____

ATTEST:

CITY CLERK

DATE: _____

"DEVELOPER"
CHRIST CATHOLIC CATHEDRAL
FACILITIES CORPORATION, a
California nonprofit religious corporation

By: _____

Its: _____

Date: _____
(Signature must be notarized.)

By: _____

Its: _____

Date: _____
(Signature must be notarized.)

APPROVED AS TO FORM:

Garden Grove City Attorney

Date: _____

If DEVELOPER is a corporation, a Corporate Resolution and/or Corporate Seal is required. If a partnership, Statement of Partnership must be submitted to CITY.

EXHIBIT "A"

LEGAL DESCRIPTION OF PROPERTY

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF ORANGE, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCEL 1: (APN: 231-041-26, 27 AND 28)

THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 4 SOUTH, RANGE 10 WEST, IN THE RANCHO LAS BOLSAS, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS SAID SECTION IS SHOWN ON A MAP RECORDED IN BOOK 51, PAGE 10, MISCELLANEOUS MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPTING THEREFROM THAT PORTION DEEDED TO THE STATE OF CALIFORNIA IN DEED RECORDED MAY 1, 1962 IN BOOK 6093, PAGE 418 OF OFFICIAL RECORDS.

EXCEPTING THEREFROM ALL REMAINING OIL, GAS, OTHER HYDROCARBONS AND OTHER MINERALS IN AND TO SAID LAND, TOGETHER WITH THE RIGHT AS HEREINAFTER LIMITED TO DRILL, REDRILL, DEEPEN, COMPLETE, AND MAINTAIN WELLS HOLES UNDER, THROUGH AND BEYOND, AND TO DRILL FOR, PRODUCE, EXTRACT, TAKE AND REMOVE OIL, GAS, AND OTHER HYDROCARBON SUBSTANCES (AND WATER NECESSARY THEREFOR) AND OTHER MINERALS FROM AND THROUGH SAID REAL PROPERTY, TOGETHER WITH RIGHTS OF WAY AND EASEMENTS FOR ANY AND ALL OF THE ABOVE MENTIONED PURPOSES, BUT WITH NO RIGHT OF ENTRY UPON OR THROUGH SAID LAND, EXCEPT BENEATH A DEPTH OF 500 FEET BELOW THE PRESENT SURFACE OF SAID LAND, AS RESERVED IN DEED FROM THE ROMAN CATHOLIC ARCHBISHOP OF LOS ANGELES, RECORDED JULY 23, 1976 IN BOOK 11784, PAGE 827 OF OFFICIAL RECORDS.

PARCEL 2: (APN: 231-255-01)

THAT PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 4 SOUTH, RANGE 10 WEST, IN THE RANCHO LAS BOLSAS, AS SHOWN ON A MAP RECORDED IN BOOK 51, PAGE 10 OF MISCELLANEOUS MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, ACQUIRED BY THE STATE OF CALIFORNIA BY PARCEL 1 OF FINAL ORDER OF CONDEMNATION, SUPERIOR COURT CASE NO. 90107, DEED A1353, RECORDED IN BOOK 5980, PAGE 723 OF OFFICIAL RECORDS IN SAID OFFICE, AND BY FINAL ORDER OF INVERSE CONDEMNATION, SUPERIOR COURT CASE NO. 127970, DEED A1354, RECORDED IN BOOK 8781, PAGE 658 OF SAID OFFICIAL RECORDS, INCLUDED WITHIN THE FOLLOWING DESCRIBED PARCEL OF LAND:

**EXHIBIT A
(Continued)**

BEGINNING AT THE INTERSECTION OF THE CENTER LINE OF LEWIS STREET, 40 FEET WIDE, AS SHOWN ON MAP OF TRACT NO. 3210, RECORDED IN BOOK 154, PAGES 47 AND 48 OF SAID MISCELLANEOUS MAPS, WITH THAT CURVE SHOWN AS HAVING A RADIUS OF 740.00 FEET AND BEING CONCAVE SOUTHEASTERLY IN THE GENERAL WESTERLY LINE OF PARCEL 4 OF STATE HIGHWAY RELINQUISHMENT NO. 376 RECORDED IN BOOK 8989, PAGE 762 OF SAID OFFICIAL RECORDS; THENCE NORTHEASTERLY ALONG SAID CURVE FROM A TANGENT WHICH BEARS NORTH 19 DEGREES 35' 48" EAST, THROUGH AN ANGLE OF 2 DEGREES 49' 40", AN ARC DISTANCE OF 36.52 FEET TO THE POINT OF TANGENCY WITH THAT COURSE SHOWN AS HAVING A BEARING AND LENGTH OF NORTH 22 DEGREES 25' 28" EAST, 138.75 FEET IN SAID GENERAL WESTERLY LINE; THENCE ALONG SAID COURSE NORTH 22 DEGREES 25' 28" EAST, 138.75 FEET TO A TANGENT CURVE SHOWN AS HAVING A RADIUS OF 27.00 FEET AND BEING CONCAVE SOUTHWESTERLY IN SAID GENERAL WESTERLY LINE; THENCE NORTHWESTERLY ALONG LAST SAID CURVE THROUGH AN ANGLE OF 90 DEGREES 00' 00", AN ARC DISTANCE OF 42.41 FEET TO THE POINT OF TANGENCY WITH THAT COURSE SHOWN AS HAVING A BEARING AND LENGTH OF NORTH 67 DEGREES 34' 32" WEST, 16.72 FEET IN SAID GENERAL WESTERLY LINE; THENCE ALONG LAST SAID COURSE NORTH 67 DEGREES 34' 32" WEST, 16.72 FEET TO A TANGENT CURVE SHOWN AS HAVING A RADIUS OF 85.00 FEET AND BEING CONCAVE NORTHEASTERLY IN SAID GENERAL WESTERLY LINE; THENCE NORTHWESTERLY ALONG LAST SAID CURVE THROUGH AN ANGLE OF 28 DEGREES 08' 14", AN ARC DISTANCE OF 41.74 FEET TO THE CENTER LINE OF LEWIS STREET, 40 FEET WIDE; THENCE ALONG SAID CENTER LINE SOUTH 0 DEGREES 40' 18" WEST, 228.59 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH THE UNDERLYING INTEREST, IF ANY, APPURTENANT TO THE ABOVE DESCRIBED PROPERTY IN AND TO THE ADJOINING PUBLIC WAY, SAID LEWIS STREET, INCLUDED WITHIN THE ABOVE DESCRIBED PARCEL OF LAND.

EXCEPTING THEREFROM, ALL OIL, MINERALS, NATURAL GAS, AND OTHER HYDROCARBONS BY WHATSOEVER NAME KNOWN THAT MAY BE WITHIN OR UNDER THE HEREIN CONVEYED PARCEL OF LAND, AND THE RIGHTS THERETO, TOGETHER WITH CERTAIN OTHER CONDITIONS, AS EXCEPTED AND RESERVED IN SAID PARCEL 1.

EXHIBIT "B"

CONDITIONS OF APPROVAL

Site Plan No. SP-028-2017 and Tentative Tract Map No. TT-17927-2017

12901 Lewis Street

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 this approval. 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, Shea Homes, the developer of the project, the current owner of the Property, Christ Catholic Cathedral Facilities Corporation, the future owner(s) and tenants(s) of the Property, and each of their respective successors and assigns. All Conditions of Approval are required to be adhered to for the life of the project, regardless of property ownership. Any changes of the Conditions of Approval require approval by the Planning Commission. All Conditions of Approval herein shall apply to Site Plan No. SP-028-2017 and Tentative Tract Map No. TT-17927-2017.
2. Approval of Site Plan No. SP-028-2017 and Tentative Tract Map No. TT-17927-2017 shall be contingent upon City Council adoption of a Mitigated Negative Declaration and an associated Mitigation Monitoring and Reporting Program for the Project, a resolution approving General Plan Amendment No. GPA-001-2017, an ordinance approving Planned Unit Development No. PUD-006-2017, and an ordinance approving Development Agreement No. DA-006-2017, and Orange County Local Agency Formation Commission ("LAFCO") approval of the subject sphere of influence change and annexation, and shall not be construed to mean any waiver of applicable and appropriate zoning and other regulations; and wherein not otherwise specified, all requirements of the City of Garden Grove Municipal Code shall apply.
3. Minor modifications to the Site Plan and/or these Conditions of Approval may be approved by the Community and Economic Development Director, in his or her discretion. Proposed modifications, to the project and/or these Conditions of Approval, determined by the Community and Economic Development Director

not to be minor in nature shall be subject to approval of new and/or amended land use entitlements by the applicable City hearing body.

4. All 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 City's Planning Section. 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.
5. The applicant shall submit detailed plans showing the proposed location of utilities and mechanical equipment to the Community and Economic Development Department for review and approval prior to Building Division Plan Check. The project shall also be subject to the following:
 - a. All on-site and off-site utilities (off-site refers to the areas within public right-of-way to the center line of the streets adjacent to the subject property) within the perimeter of the site and to the centerline of the adjacent streets shall be installed or relocated underground. If the power poles, fronting Garden Grove Boulevard or Lewis Street, are determined by SCE (Southern California Edison) as high voltage transmission power poles, then there will be no need to underground or pay an in-lieu fee to the City.
 - b. Aboveground utility equipment (e.g., electrical, gas, telephone, cable TV) shall not be located in the street setbacks, within the common areas along Lewis Street or Garden Grove Boulevard, or any parking areas, and shall be screened to the satisfaction of the Community and Economic Development Department.
 - c. No roof-mounted mechanical equipment, including but not limited to dish antennas, shall be permitted unless a method of screening complementary to the architecture of the building is approved by the Community and Economic Development Department prior to the issuance of building permits. Said screening shall block visibility of any roof-mounted mechanical equipment from view of public streets and surrounding properties.
 - d. All ground- or wall-mounted mechanical equipment shall be screened from view from any place on or off the site.

Public Works Engineering Division

The following provisions of the Public Work's Engineering Division shall be complied with:

6. A geotechnical study prepared by a registered geotechnical engineer is required. The report shall analyze the liquefaction potential of the site and make recommendations. The report shall analyze sub-surface issues related to the past uses of the site, including sub-surface tanks and basement and septic facilities. Any soil or groundwater contamination shall be remediated prior to the issuance of a building permit in a manner meeting the approval of the City Engineer in concert with the Orange County Health Department. The report shall make recommendations for pavement design the interior streets and parking spaces. The report shall also test and analyze soil conditions for LID (Low Impact Development) principles and implementations, including potential infiltration alternatives, soil compaction, saturation, permeability and groundwater levels.
7. A separate street permit is required for work performed within the public right-of-way.
8. The applicant shall be subject to Traffic Mitigation Fees, 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. The amounts of said fees shall be calculated based on the City's current fee schedule in effect at the time of permit issuance.
9. Separate grading and street improvement plans prepared by a registered Civil Engineer are required. The grading plan shall be based on a current survey of the site, including a boundary survey, topography on adjacent properties up to 30' outside the boundary, and designed to preclude cross-lot drainage. Minimum grades shall be 0.50% for concrete flow lines and 1.25% for asphalt. The grading plan shall also include water and sewer improvements. The grading plan shall include a coordinated utility plan. Street improvement plan shall conform to all format and design requirements of the City Standard Drawings and Specifications.
10. Prior to the issuance of any grading or building permits or prior to recordation upon subdivision of land if determined applicable by the City Building Official, the applicant shall submit to the City for review and approval a Final Water Quality Management Plan (WQMP) that:
 - Addresses Site Design BMPs based upon the geotechnical report recommendations and findings such as infiltration minimizing impervious

areas, maximizing permeability, minimizing directly connected impervious areas, creating reduced or “zero discharge” areas, and conserving natural areas.

- Incorporates the applicable Routine Source Control BMPs as defined in the DAMP.
 - Incorporates structural and Treatment Control BMPs as defined in the DAMP.
 - Generally describes the long-term operation and maintenance requirements for the Treatment Control BMPs.
 - Identifies the entity that will be responsible for long-term operation and maintenance of the Treatment Control BMPs.
 - Describes the mechanism for funding the long-term operation and maintenance of the Treatment Control BMPs.
11. Prior to grading or building permit closeout and/or the issuance of a certificate of use or a certificate of occupancy, the applicant shall:
- 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.
 - Demonstrate that applicant is prepared to implement all non-structural BMPs described in the Project WQMP.
 - Demonstrate that an adequate number of copies of the approved Project WQMP are available on site.
 - Submit for review and approval by the City an Operations and Maintenance (O&M) Plan for all structural BMPs.
 - Demonstrate that the applicant has agreed to and recorded an agreement or another legal instrument approved by the City Attorney that shall require the property owner, successors, tenants (if applicable), and assigns to fund, operate and maintain in perpetuity, the post-construction BMPs described in the Project WQMP and O&M Plan.
12. Prior to the issuance of a grading permit, the applicant shall provide a hydrological analysis with scaled map and calculations and hydraulic calculations to size drainage facilities per Orange County RDMD standards. Parkway culverts shall be designed per Orange County standard plan 1309,

Type B. BMP's shall be sized per the requirements of the latest Technical Guidance Documents.

13. Prior to issuance of a grading permit, the applicant shall design overhead street lighting within the development in a manner meeting the approval of the City Engineer. Location of lighting poles shall be shown on the grading plan.
14. Prior to the issuance of the street improvements and grading permit, provide subdivision completion bonds for all work constructed under the street improvements and grading permit in a manner satisfactory to the City Engineer, City Attorney, and City Finance Department (Risk Management). Alternate forms of security may be considered, solely in the discretion of the City Engineer and with the concurrence of the City Attorney and City Finance Department (Risk Management).
15. The applicant shall construct the driveway entrance to the development per City of Garden Grove Standard Plan B-120 with conforming ADA landing and pathways where public and private sidewalks intersect. All designs must conform to latest ADA standards.
16. Prior to recordation of a final tract map, the applicant shall make the following revision in a manner meeting the approval of the City Engineer:
 - Provide a 3-foot public utility easement at the back of all sidewalks on the site and across lot frontage behind the property line.
17. TIES TO HORIZONTAL CONTROL: Prior to recordation of a final 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.
18. DIGITAL MAP SUBMISSION: Prior to recordation of a final 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.
19. Prior to recordation of a final tract map, the applicant shall remove the four (4) power/communication poles that are fronting Garden Grove Boulevard and underground the utilities in a manner meeting the approval of the City Engineer. If the power poles fronting Garden Grove Boulevard are determined

by SCE (Southern California Edison) as high voltage transmission power poles, then there will be no need to underground or pay an in-lieu fee to the City.

20. Prior to the issuance of any grading or building permits for projects that will result in soil disturbance of one acre or more of land, the applicant shall demonstrate that coverage has been obtained under California's General Permit for Stormwater Discharges Associated with Construction Activity by providing a copy of the Notice of Intent (NOI) submitted to the State Water Resources Control Board and a copy of the subsequent notification of the issuance of a Waste Discharge Identification (WDID) Number. Projects subject to this requirement shall prepare and implement a Stormwater Pollution Prevention Plan (SWPPP). A copy of the current SWPPP shall be kept at the project site and be available for City review on request.
21. Prior to recordation of a final tract map, the applicant shall remove the three (3) power/communication poles that are fronting Lewis Street and underground the utilities in a manner meeting the approval of the City Engineer. If the power poles fronting Lewis Street are determined by SCE (Southern California Edison) as high voltage transmission power poles, then there will be no need to underground or pay an in-lieu fee to the City.
22. The grading plan shall provide an accessibility route for the ADA pathway in conformance with the requirements of the department of justice standards, latest edition.
23. Orange County Storm Water Program manual requires all contractors to provide a dumpster on site during construction unless an Encroachment Permit is obtained for placement in street.
24. Any new or required block walls and/or retaining walls shall be shown on the grading plans. Cross sections shall show vertical and horizontal relations of improvements and property line. Block walls shall be designed in accordance to City standards or designed by a professional registered engineer.
25. All trash container areas shall meet the following requirement per City of Garden Grove Standard B-502:
 - Paved with an impervious surface, designed not to allow run-on from adjoining areas, designed to divert drainage from adjoining roofs and pavements diverted around the area, screened or walled to prevent off-site transport of trash.
 - Provide solid roof or awning to prevent direct precipitation.

- Connection of trash area drains to the municipal storm drain system is prohibited.
 - Potential conflicts with fire code and garbage hauling activities should be considered in implementing this source control.
 - See CASQA Storm Water Handbook Section 3.2.9 and BMP Fact Sheet SD-32 for additional information.
 - The trash shall be located to allow pick-up and maneuvering, including turnarounds, in the area of enclosures.
26. Grading fees shall be calculated based on the current fee schedule at the time of permit issuance.
27. The applicant shall remove the existing landscape within sidewalk area along Lewis Street and Garden Grove Boulevard and construct street frontage improvements as identified below. All landscaping installed within the public rights-of-way shall be maintained by the applicant in a manner meeting the approval of the City Engineer and Planning Department. A separate street improvement/stripping plan shall be prepared for Lewis Street and Garden Grove Boulevard and submitted to the engineering department for improvements within the City right of way.

Lewis Street

- Remove the existing northerly and southerly substandard driveway approaches and existing landscaping on Lewis Street and construct new curb, gutter, landscape and sidewalk per approved site plan.
- The new driveway approach to the site shall be constructed in accordance with City of Garden Grove Standard Plan B-120. Standard Plan B-120 calls for a minimum width of 30-feet for commercial and multi-residential projects, with any deviation from the standard to be approved by the City Traffic Engineer and detailed on the plan showing all modifications.
- Any further deviation from the approved non-standard entryway/guard gate to the site on Lewis Street shall be approved by the City Traffic Engineer.
- Construct the new sidewalk landings to the Residential Planned Unit Development in accordance with City Standard Plan B-107 with a curb radius of 25-foot in a manner meeting the approval of the City Traffic Engineer.

- Two new wheelchair ramps and landing shall be constructed per Caltrans Standard Plan A88A, Case A, Detail B (Typical One-Ramp Corner Installation).
- Construct 8-inch curb and gutter replacing the driveway approaches along the property frontage at 32' from centerline in accordance with City Standard Plan B-113 (Type C-8).
- Construct an 8-foot sidewalk adjacent to the street curb replacing the driveway approaches in accordance with City Standard Plan B-106.
- Remove and replace the pavement on Lewis Street from the edge of the Westerly gutter to the easterly edge of two way left turn lane stripe along the property frontage per City Standard Plan B-103 and the direction of the City Engineer.
- Applicant shall for apply for an encroachment permit from City of Orange prior to commencement of pavement operation on Lewis Street.
- Applicant to coordinate the location of all new water meters to be placed in sidewalk area on Lewis Street with Planning Department and Water Division.

Garden Grove Boulevard

- Remove the existing easterly and westerly substandard driveway approaches, parkway culverts and landscaping on Garden Grove Boulevard and construct new curb, gutter, landscape and sidewalk per approved site/landscape plan.
- Remove existing wheelchair ramp at the corner of Garden Grove Boulevard and Lewis Street and construct new wheelchair ramp per Caltrans Standard plan A88A, Case A, Detail B (Typical One-Ramp Corner Installation).
- Construct 8-inch curb and gutter replacing the driveway approaches and parkway culverts along the property frontage at 42' from centerline in accordance with City Standard Plan B-113 (Type C-8).
- Construct an 8-foot sidewalk adjacent to the street curb replacing the driveway approaches and parkway culverts along the property frontage in accordance with City Standard Plan B-106.
- The designated landscape planter box locations in the sidewalk area shall be landscaped per the direction of the City Planning Department.

- Prior to the issuance of certificate of use and occupancy, the applicant shall design the westernmost access on Garden Grove Boulevard to function as an emergency access in a manner meeting the approval of the City Engineer.
- Applicant to coordinate the location of all new water meters to be placed in sidewalk area on Garden Grove Boulevard with the Planning Division and Water Services Division.

Private Street

- Street Signs shall be installed in a manner meeting the approval of the City Traffic Engineer.
- The width of all private streets with rolled curb & gutter shall be measured from the flowline to flowline of the gutters per City standard B-116.

Garden Grove Fire Department

The following provisions of the Garden Grove Fire Department and the California Fire Code shall be met:

28. Fire sprinkler system is required throughout the entire project per the California Fire Code and adopted City standards (NFPA). NFPA 13D compliant system is required throughout with a density and configuration as required by that standard. Sprinkler systems shall meet further City water standards as determined by the fire and water departments (i.e., testable double check valves, fire flow water meters if required).
29. Smoke/CO alarm system shall be provided and interconnected; interconnectivity shall exist with fire sprinkler system also, as per NFPA 72.
30. Fire hydrants to be shown on submitted grading plan. Fire hydrants shall be provided on site, number of hydrants and locations are subject to Fire Department and Water Services Department approval. The fire hydrants shall be on a loop system approved by the Fire Department. Prior to any combustible material being delivered to the site, the fire hydrants shall be installed and fully operational and an all-weather road must be provided for fire truck access.
31. The final roadway layout and construction shall maintain a minimum width clearance of 20-feet and a minimum height clearance of 13'-6". All designated corners shall meet the Fire Department minimum turning radius. Applicant shall submit CAD drawing to the Fire Department for review showing fire

engine accessibility and meeting the Fire Department minimum turning radius. The roadway shall be constructed to support 75,000 pounds (CFC 07102.1). During grading plan preparation, the applicant shall work with the Garden Grove Fire Department in determining the exact location of on-site curb returns, curb locations, and any other related matters pertaining to Fire Truck access and turning maneuvers throughout the entire site. Upon completion of the project, the Homeowner's Association shall become fully responsible for replacing any damaged curbs and gutters throughout the development. All fire related matters/issues referenced on construction plans and documents, and during construction, shall be referenced as "per the Garden Grove Fire Department."

32. All access gates on the site shall be equipped with a Knox rapid entry keyed access system subject to the approval of the Garden Grove Fire Department. Automated gates shall have Knox override system, while manual gates shall have Knox padlocks.
33. All Fire related aspects of the proposed project shall comply with California Fire Codes and the California Building Codes 2010 Edition.
34. Where required, red curbing will be required in designated fire access lanes as directed by the Fire Department and such red curbing and any related Fire Lane signage shall be maintained at all times by the Homeowner's Association.

Building Services Division

35. All buildings shall be fire sprinklered.
36. Each garage shall be hooked up with a raceway for future installation of an electric vehicle charging station.
37. All residences (units) within the development shall be solar ready per Section 110.10 of the California Energy Code.
38. Sales office for the development shall be accessible and connected to accessible parking and public way with accessible route.
39. The buildings shall meet the requirements of the 2017 edition of the California Building and Residential Codes and the City of Garden Grove adopted ordinance.

Public Work's Water Services Division

The following provisions of the Garden Grove Public Works' Water Services Division shall be met:

40. The applicant shall install a new 8" looped water main system from the 12" main on Lewis and tie in to the 12" main on Garden Grove Blvd. The water mains, fire hydrants, and water services to be installed by the developer's contractor per City Standards and inspected by the Water Engineering Inspector. Water meters, boxes, and residential fire service connections shall be purchased and installed by the contractor after new water system (including water services) pass all bacteriological and pressure tests.
41. Water system within private streets shall be constructed per City Standards by the applicant and dedicated to the City. Bonding will be required.
42. Location and number of fire hydrants shall be as required by the Fire Department.
43. Fire hydrants shall be in place and activated prior to building footing being formed.
44. All water meters and services to be installed per City Standard B-719, with a residential fire sprinkler connection on the meter.
45. A composite water and sewer plan with an assigned W drawing number shall be submitted and reviewed by the Water Engineering section. The W number can be obtained from Water Engineering at 714-741-5346.
46. There shall be a minimum 15-foot clearance of building footings from the water main.
47. New utilities shall have a minimum 5-foot horizontal and a minimum 1-foot vertical clearance from water main and appurtenances.
48. There shall be a minimum clearance from sewer main and water main of 10 feet from outside of pipe to outside of pipe.
49. A Reduced Pressure Principle Device (RPPD) backflow prevention device shall be installed for the landscape system. 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 must open a water account upon installation of RPPD device.

50. 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.
51. Any new or existing water valve can assemblies located within new concrete driveway or sidewalk construction shall be reconstructed per City Standard B-753.
52. City shall determine if existing water services(s) is/are usable and meets current City Standards. Any existing meter and service located within new driveway(s) shall be relocated at owner's expense.
53. No permanent structures, trees or deep-rooted plants shall be placed over sewer main or water main.
54. Developer shall install a new 8" private sewer main system and tie into the existing County Trunk Sewer. The City of Garden Grove shall act as permittee for County main tie in.
55. Where the new sewer main crosses over or under the existing water main, a joint of AWWA C-900, DR14, Class 305 PVC sewer pipe shall centered over or under the existing water main pipe as per City Standards B-762 or 763.
56. All on site sewer main, laterals, and cleanouts, shall be installed per the California Plumbing Code and inspected by the Building Services Division. All work done within the Garden Grove right-of-way shall be per Garden Grove Sanitary District and Orange County Sanitary Districts' Standards.
57. Contractor shall abandon any existing unused sewer lateral(s) at street right-of-way on the property owner's side. The sewer pipe shall be capped with an expansion sewer plug and encased in concrete.

Planning Services Division

58. The applicant shall submit a complete landscape plan governing the entire development. The plans shall be consistent with the plans submitted to the Planning Commission for review and approval, except as modified herein. 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 common area landscaping shown on the plan. The sprinklers shall be of low flow/precipitation sprinkler heads for water conservation.
- b. The plan shall provide a mixture of a minimum of ten percent (10%) of the trees at 48-inch box, ten percent (10%) of the trees at 36-inch box, fifteen percent (15%) of the trees at 24-inch box, and sixty percent (60%) of the trees at 15-gallon, the remaining five percent (5%) may be of any size. 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 shall be responsible for installing and maintaining the common area landscaping until such time as the project nears complete sell-out and the Homeowner's Association takes over maintenance responsibility.
- d. Trees planted within ten feet (10') 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. The number of street trees to be planted along the Garden Grove Boulevard and Lewis Street frontages shall be incorporated into the front landscape setback, no street trees will be planted in the sidewalk. The street right-of-way plans may be modified to have the sidewalk adjacent to the curb, meeting City Standards, in order to minimize tree overhanging in the street.
- e. Enhanced landscape treatment shall be provided in the 10'-0" wide site perimeter setback between the block wall and the street frontage property lines. The enhanced landscaping within this area shall include trees, shrubs, vines, and flowering ground covers and turf in a hierarchical design order.
- f. The landscape treatment along the street frontages, including the area designated as public right-of-way, shall incorporate the landscape area between the sidewalk and the development wall with ground cover, shrubs and bushes, and trees that highlight the project's entrance as well as enhance the exterior appearance along Garden Grove Boulevard and Lewis Street. The plant material for the entrances shall be the type to inhibit

graffiti such as vines and dense growing shrubs and bushes, and shall be maintained.

- g. All landscape areas, in common areas are the responsibility of the Homeowner's Association and this includes the landscaped area within the Garden Grove Boulevard and Lewis Street road right-of-way, and in the 10'-0" wide site perimeter setback between the block wall and the street frontage property lines. Maintenance of this landscape area shall be included within the CC&R's for the project.
 - h. Final design and configuration of the enhanced treatment along Garden Grove Boulevard and Lewis Street shall be reviewed and approved by the Planning Division as part of the required landscape plans.
59. Hours and days of construction and grading shall be as follows as set forth in the City of Garden Grove's Municipal Code Section 8.47.010 referred to as the County Noise Ordinance as adopted:
- a. Monday through Saturday - not before 7 a.m. and not after 8 p.m. (of the same day).
 - b. Sunday and Federal Holidays may work same hours, but subject to noise restrictions as stipulated in section 8.47.010 of the Municipal Code.
60. The approval and effectiveness of Site Plan No. SP-028-2017 and Tentative Tract Map No. TT-17927-2017 shall be expressly contingent upon the adoption and effectiveness of a binding Development Agreement between the applicant and the City of Garden Grove.
61. The applicant shall prepare Covenants, Conditions, and Restrictions (CC&R's) for review and approval by the City Attorney's office and Community and Economic Development Department prior to the issuance of building permits. The approved CC&R's shall be recorded at the same time that the subdivision map is recorded 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 cars within the garages at all times. 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 53 unassigned open, on-street, guest parking spaces, located throughout 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.
- 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.
- 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, the enhanced cellular tower element at the front of the development, and the landscape setback areas outside the development walls adjacent to Garden Grove Boulevard and Lewis Street is the responsibility of the Homeowner's Association, including the common landscaped areas.
- j. Each unit shall have a minimum of 200 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 dimensions of 15 feet by 20 feet. This area shall be open and unobstructed from the ground to the sky.
- l. The Conditions of Approval for Planned Unit Development No. PUD-006-2017, Site Plan No. SP-028-2017, and Tentative Tract Map No. TT-17927-2017 shall be incorporated into the CC&Rs, and provisions corresponding to any applicable Conditions of Approval shall be included in the CC&Rs.
- m. 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:
 - a. Description of all post-construction BMPs (non-structural and structural),
 - b. Description of the Property owner's(s') responsibilities and required training of persons performing BMP implementation, operation and maintenance,
 - c. Implementation frequency and operating schedule,
 - d. Inspection/maintenance frequency and schedule,
 - e. Specific maintenance activities,
 - f. Required permits from resource agencies, if any,
 - g. Forms to be used in documenting implementation, operation and maintenance activities,
 - h. 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 and Economic 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.

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 and Economic 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 Planned Unit Development No. PUD-006-2017, Site Plan No. SP-028-2017, and Tentative Tract Map No. TT-17927-2017. 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 Planned Unit Development No. PUD-006-2017, Site Plan No. SP-028-2017, and Tentative Tract Map No. TT-17927-2017. 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 or Planned Unit Development No. PUD-006-2017, Site Plan No. SP-028-2017, and Tentative Tract Map No. TT-17927-2017 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 Planned Unit Development No. PUD-006-2017, Site Plan No. SP-028-2017, and Tentative Tract Map No. TT-17927-2017. 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 or Planned Unit Development No. PUD-006-2017, Site Plan No. SP-028-2017, and Tentative Tract Map No. TT-17927-2017 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 of the conditions of these Declarations or Planned Unit Development No. PUD-006-2017, Site Plan No. SP-028-2017, and Tentative Tract Map No. TT-17927-2017 approvals. 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 or Planned Unit Development No. PUD-006-2017, Site Plan No. SP-028-2017, and Tentative Tract Map No. TT-17927-2017 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 and Economic Development Department.
62. The applicant shall comply with all provisions of the Community and Economic Development Department including, but not limited to, the following:
- a. The facades of the units shall be designed with sound attenuation features including the use of dual pane windows and limiting, when possible, the use of windows and vents. These features shall be approved by the Community and Economic Development Department prior to the issuance of building permits.

- b. Prior to the finalization of working drawings for Planning Division, Engineering Division, and Building Division Plan Check, the applicant shall submit to the Community and Economic Development Department detailed and dimensioned plot plans, floor plans, exterior elevations, and landscape plans which reflect the above Conditions of Approval. The plans shall indicate cross-sections of all streets within the development, landscape materials, wall materials, and building materials proposed for the project. Each unit shall have phone jacks and cable-TV outlets in all rooms, except the laundry area, hallways, and bathrooms. Mechanical equipment, including air conditioning units, Jacuzzi spa equipment, sump pump, etc., shall not be located closer than 5-feet of any side or rear property line and shall not be located in the front landscape setback. Air conditioning units may be placed adjacent to or in front of the dwelling units provided the location does not obstruct, impede, or hinder any vehicle traffic or pedestrian access to any unit.
 - c. Should the applicant elect to build the project in more than one phase, then a phasing plan shall be submitted to the Community and Economic 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 and Economic Development, Fire, and Public Works Departments prior to issuance of building permits.
63. Any new or required block walls and/or retaining wall(s) shall be shown on the grading plans. Block walls shall be 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. Decorative masonry walls are required along the north, 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. These walls shall use decorative masonry or stucco block with decorative caps, subject to the Community and Economic Development Department's approval. A minimum 6'-0" high decorative block wall, set back a minimum of 10'-0" from the Garden Grove Boulevard and Lewis Street property lines shall be installed, behind the homes that back up to Garden Grove Boulevard and Lewis Street, and include split-face or stucco block with pilasters and decorative caps.

- b. The applicant shall work with the existing property owners along the project perimeter in designing and constructing the required perimeter block walls. This requirement is to avoid having double walls and 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 and Economic 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.
- 64. 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, the use of solar or low-emission water heaters, and use of low-sodium parking lot lights, and to ensure compliance with Title 24.
 - 65. The common recreation area improvements shall be reviewed and approved by the Community and Economic Development Department, Planning Division prior to issuance of building permits. The common recreation area shall be completed at the time that the applicant completes no more than 50 percent of the units (35 units). The improvements within the main open space shall include a children's playground (tot lot), open turf area, two (2) covered barbecue dining areas, a shade structure with built-in bench seating, a hedge screen around the area, and related equipment and improvements.
 - 66. Building color and material samples shall be submitted to the Planning Division for review and approval prior to issuance of building permits. The buildings shall include multi-toned stuccoed exteriors, window and door trim, decorative paneled front doors, multi-paned windows, window boxes, shutters, paneled roll-up garage doors, decorative entry, and varied roof lines with tile roofing material. All side and rear elevations that face a street or a common usable open space area shall maintain the same, or enhanced, level of detail as the fronts of the homes, including but not limited to, window trims, multi-paned windows, and shutters.
 - 67. The entry and exit-only drive, off Lewis Street, located along the easterly property line, shall have enhanced concrete treatment subject to the Community and Economic Development Department's approval.

68. All recreation areas, landscaping along the interior project street and entryway, landscaped areas outside the perimeter block wall, landscaping within the public right-of-ways, shall be maintained for the life of the project and such maintenance provisions shall be included in the CC&R's.
69. Decorative mailboxes shall be provided that include elements that are complimentary to the architectural style of the buildings. All on-site lighting shall be decorative. Final design of the mailboxes and street lighting shall be reviewed and approved by the Planning Division prior to the issuance of building permits.
70. 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 the proposed sphere of influence amendments and detachment/annexation, General Plan Amendment No. GPA-001-2017, Planned Unit Development No. PUD-006-2017, Tentative Tract Map No. TT-17927-2017, Site Plan No. SP-028-2017, or Development Agreement No. DA-006-2017 (collectively, the "Project entitlements"), and/or the adopted Mitigated Negative Declaration and the associated Mitigation Monitoring and Reporting Program for the Project. The applicant shall pay the City's defense costs, including attorney fees and all other litigation related expenses, and shall reimburse the City for court costs, which the City may be required to pay as a result of such defense. The applicant shall defend the City with legal counsel mutually selected by the applicant and the office of the City Attorney and 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.
71. The Conditions of Approval set forth herein include certain development impact fees and other exactions. Pursuant to Government Code §66020(d), these Conditions of Approval constitute written notice of the amount of such fees. To the extent applicable, the applicant is hereby notified that the 90-day protest period, commencing from the effective date of approval of Tentative Tract Map No. TT-17927-2017 and Site Plan No. SP-028-2017, has begun.

GARDEN GROVE CITY COUNCIL

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE
AUTHORIZING INITIATION OF PROCEEDINGS AND REQUESTING THE ORANGE
COUNTY LOCAL AGENCY FORMATION COMMISSION TO TAKE PROCEEDINGS FOR
THE ANNEXATION TO THE CITY OF GARDEN GROVE AND THE GARDEN GROVE
SANITARY DISTRICT OF TERRITORY TO BE DETACHED FROM THE CITY OF
ORANGE KNOWN AS THE LEWIS STREET REORGANIZATION (RO 01-17)

WHEREAS, the City of Garden Grove desires to initiate proceedings pursuant to the Cortese/Knox/Hertzberg Local Government Reorganization Act of 2000, Division 3, commencing with Section 56000 of the California Government Code, for the Lewis Street Reorganization (RO 01-17);

WHEREAS, the Garden Grove Sanitary District is a subsidiary district of the City of Garden Grove and provides sewer and solid waste collection services within the boundaries of the City of Garden Grove;

WHEREAS, the proposed changes of organization include the following jurisdictional changes and sphere of influence actions: (1) Detachment of 0.901 acres from the City of Orange city limits and sphere of influence along Lewis Street from Garden Grove Boulevard to the south to El Prado Avenue to the north so that the new boundaries between the Cities of Garden Grove and Orange align along the centerline of Lewis Street; and (2) Annexation of the 0.901 acres resulting from the new Lewis Street centerline to the City of Garden Grove and the Garden Grove Sanitary District;

WHEREAS, the reasons for the proposed changes of organization are as follows: The construction of the 22 Freeway to the north of the proposed reorganization required the realignment of Lewis Street, moving it almost completely within the City of Orange. An application to develop a small lot residential subdivision of 70 homes within the City of Garden Grove on parcels located on the west side of Lewis Street requires the change in organization to more efficiently provide for utilities and services to the proposed residential subdivision; and

WHEREAS, the territory subject to the proposed changes of organization is uninhabited, and a description of the external boundary of the territory is set forth in Exhibit "A" attached hereto and by this reference incorporated herein.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Garden as follows:

1. That proceedings are hereby authorized to be initiated by the City of Garden Grove, and the Orange County Local Agency Formation Commission is hereby requested to take proceedings for the proposed changes of organization that include the territory as described in Exhibit "A" and designated as the Lewis Street

Reorganization (RO 01-17), and in the manner provided by the Cortese/Knox/Hertzberg Local Government Reorganization Act of 2000.

2. That this proposal is made pursuant to the Cortese/Knox/Hertzberg Local Government Reorganization Act of 2000, Division 3, commencing with Section 56000 of the California Government Code.

3. That this proposal is for the purpose of detaching approximately 0.901 acres of territory from the City of Orange and annexing it to the City of Garden Grove and the Garden Grove Sanitary District, the boundaries of which are more particularly described and delineated on Exhibit "A", attached hereto and by reference made a part of this Resolution to provide utility and other municipal services to said territory as requested by the property owner of adjacent land, which said service is not now provided by any public agency.

4. That the territory to be annexed is uninhabited.

5. That the spheres of influence of the Cities of Garden Grove and Orange be amended concurrently thereof.

6. That the Lewis Street Reorganization (RO 01-17) shall be subject to all fees required for the reorganization.

7. That the Cities of Orange and Garden Grove, and the Garden Grove Sanitary District, pursuant to Sections 99(b) and 99.01 of the Revenue and Taxation Code, will negotiate a property tax allocation exchange in conjunction with the reorganization.

1 EXHIBIT "A"

2 " REORGANIZATION TO THE
3 CITY OF GARDEN GROVE" (RO 01-17)
4

5 THAT PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 35,
6 TOWNSHIP 4 SOUTH, RANGE 10 WEST, RANCHO LAS BOLSAS TOGETHER WITH THAT PORTION
7 OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 35, MORE
8 PARTICULARLY DESCRIBED AS FOLLOWS:
9

10 BEGINNING AT THE SOUTHEAST CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN
11 ANNEXATION NO. 27 TO THE CITY OF GARDEN GROVE, CERTIFIED SEPTEMBER 13, 1957 BY THE
12 SECRETARY OF STATE OF THE STATE OF CALIFORNIA AS ORD. NO. 4, SAID POINT BEING
13 DISTANT FROM THE SOUTH QUARTER CORNER OF SAID SECTION 35, SAID SOUTH QUARTER
14 CORNER ALSO BEING THE CENTERLINE INTERSECTION OF LEWIS STREET AND GARDEN
15 GROVE BOULEVARD, AS SHOWN ON RECORD OF SURVEY NO. 2003-1073, AS PER MAP
16 RECORDED IN BOOK 206, PAGES 5 THROUGH 20, INCLUSIVE OF RECORDS OF SURVEY,
17 RECORDS OF SAID COUNTY, SAID CENTERLINE INTERSECTION ALSO BEING ORANGE COUNTY
18 SURVEYOR'S HORIZONTAL CONTROL STATION GPS NO. 3090, HAVING A COORDINATE VALUE
19 (U.S. SURVEY FOOT) OF NORTH 2229385.177 AND EAST 6061044.495 BASED UPON THE
20 CALIFORNIA COORDINATE SYSTEM (CCS83), ZONE VI, NORTH AMERICAN DATUM OF 1983
21 (1991.35 EPOCH, ORANGE COUNTY SURVEYOR GPS ADJUSTMENT) AS SHOWN ON SAID RECORD
22 OF SURVEY, THE FOLLOWING TWO (2) COURSES:
23

- 24 1. SOUTH 00°40'39" WEST 30.00 FEET;
25 2. NORTH 89°21'36" WEST 20.00;
26

27 THENCE ALONG THE GENERAL NORTHERLY LINE OF THAT CERTAIN PARCEL OF LAND
28 DESCRIBED IN ANNEXATION NO. 4 TO THE CITY OF GARDEN GROVE, CERTIFIED DECEMBER 31,
29 1956 BY SAID SECRETARY OF STATE AS ORD NO. 24, SOUTH 89°21'36" EAST 20.00 FEET TO ITS
30 INTERSECTION WITH THE SOUTHERLY PROLONGATION OF THE CENTERLINE OF SAID LEWIS
31 STREET;

32 THENCE LEAVING SAID GENERAL NORTHERLY LINE AND ALONG SAID PROLONGATION AND
33 SAID CENTERLINE, SAID CENTERLINE ALSO SHOWN ON RECORD OF SURVEY NO. 2003-1006, AS
34 PER MAP RECORDED IN BOOK 199, PAGES 1 THROUGH 16, INCLUSIVE OF RECORDS OF SURVEY,
35 RECORDS OF SAID COUNTY, THE FOLLOWING THREE (3) COURSES:
36

1. NORTH 00°40'39" EAST 329.58 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 700.00 FEET;
2. NORTHERLY AND NORTHEASTERLY ALONG SAID CURVE 265.67 FEET THROUGH A CENTRAL ANGLE OF 21°44'43";
3. NORTH 22°25'22" EAST 195.46 FEET TO ITS INTERSECTION WITH THE CENTERLINE OF EL PRADO AVENUE AS SHOWN ON SAID RECORD OF SURVEY NO. 2003-1006 AND TRACT NO. 5540, AS PER MAP RECORDED IN BOOK 201, PAGES 39 AND 40 OF MISCELLANEOUS MAPS, RECORDS OF SAID COUNTY;

THENCE LEAVING SAID CENTERLINE OF LEWIS STREET AND ALONG SAID CENTERLINE OF EL PRADO AVENUE, NORTH 67°29'31" WEST 110.12 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 150.00 FEET,
THENCE CONTINUING ALONG SAID CENTERLINE AND CURVE, NORTHWESTERLY 41.34 FEET THROUGH A CENTRAL ANGLE OF 15°47'32" TO A POINT OF NON-TANGENCY ON THE EASTERLY LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN ANNEXATION NO. 131 TO THE CITY OF GARDEN GROVE, CERTIFIED NOVEMBER 29, 1968 BY SAID SECRETARY OF STATE AS ORD. NO. 1029, A RADIAL LINE TO SAID POINT BEARS NORTH 06°42'58" EAST;
THENCE LEAVING SAID CENTERLINE AND ALONG SAID EASTERLY LINE AND CONTINUING ALONG THE EASTERLY LINE OF SAID PARCEL OF LAND DESCRIBED IN SAID ANNEXATION NO. 27, SOUTH 00°40'39" WEST 821.36 FEET TO THE POINT OF BEGINNING.

CONTAINING 39,328 SQUARE FEET OR 0.901 ACRES, MORE OR LESS.

AS SHOWN ON EXHIBIT "B" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART
HEREOF.

DATED THIS 14th DAY OF September, 2016

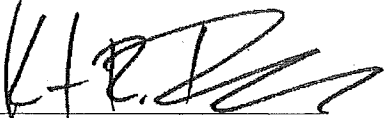

KURT R. TROXELL, L.S. 7854



EXHIBIT "B"

TO ACCOMPANY LEGAL DESCRIPTION REORGANIZATION TO THE CITY OF GARDEN GROVE" (R001-17)

SURVEYOR'S STATEMENT:
THIS PROPOSAL WAS PREPARED BY ME OR
UNDER MY SUPERVISION.
DATED THIS 14TH DAY OF September 2016
Kurt R. Troxell
KURT R. TROXELL, L.S. 7884



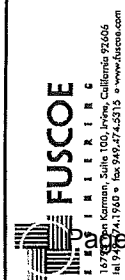
NOTE:
COORDINATES SHOWN ARE BASED ON THE CALIFORNIA COORDINATE
SYSTEM (CCS83), ZONE VI, 1983 NAD (1991.35 EPOCH OCS GPS
ADJUSTMENT).
ALL DIMENSIONS SHOWN ARE GROUND UNLESS OTHERWISE NOTED.
TO OBTAIN GRID DISTANCE MULTIPLY GROUND DISTANCE BY
0.99998291

AREA OF ANNEXATION:
AREA = 39,238 SQUARE FEET
(0.901 ACRES)

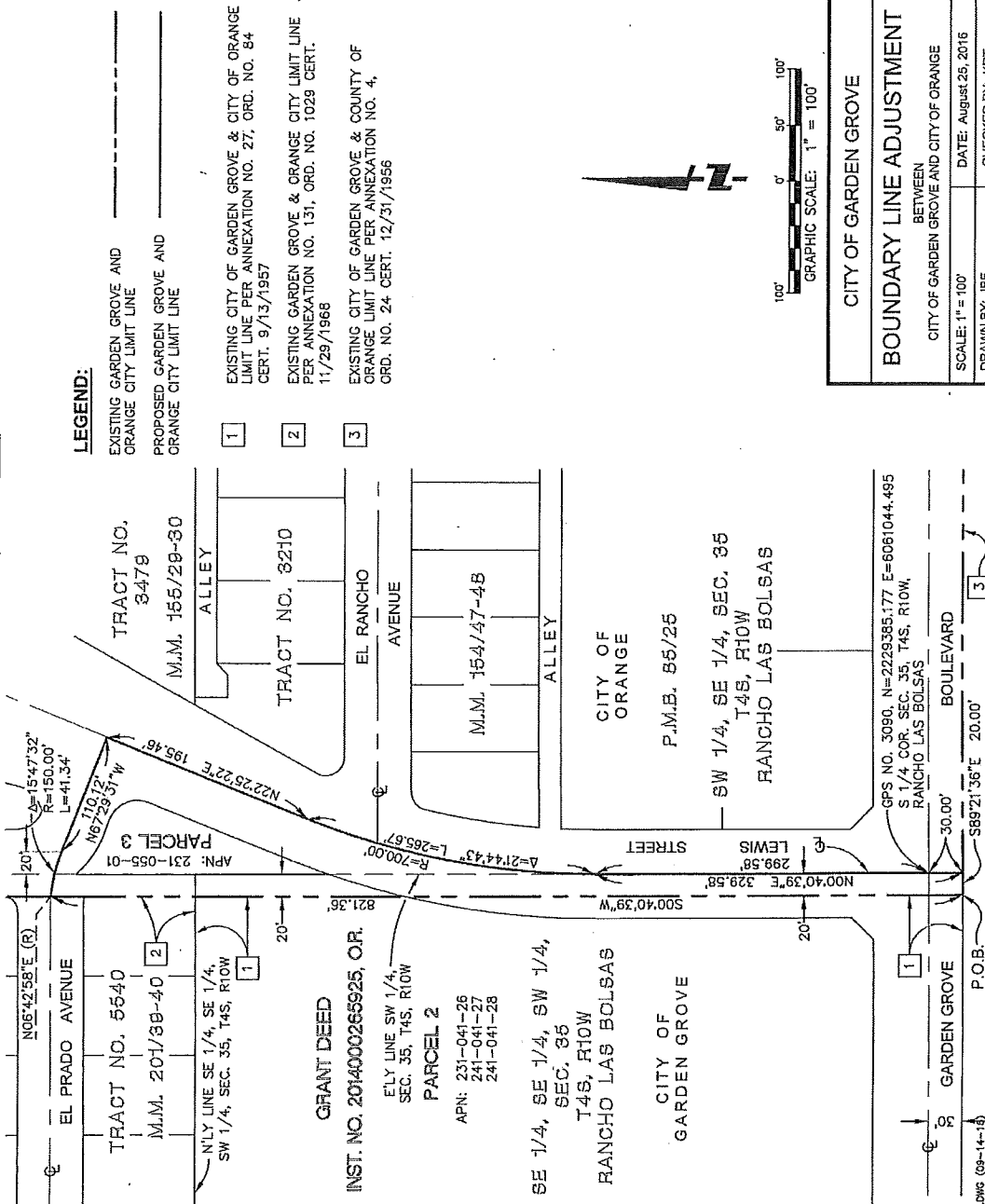
COUNTY SURVEYOR'S STATEMENT:
THIS DESCRIPTION AND MAP OF PROPOSED ANNEXATION
DOES MEET THE APPROVAL OF THE ORANGE COUNTY
SURVEYOR'S OFFICE.

DATED THIS ____ DAY OF ____, 2016

KEVIN R. HILLS, COUNTY SURVEYOR
L.S. 6617, EXP. 12/31/2017



16750
16750 Kaman, Suite 100, Irvine, California 92606
Tel 949.471.1960 • Fax 949.471.5213 • www.fuscoe.com



CITY OF GARDEN GROVE

BOUNDARY LINE ADJUSTMENT

BETWEEN
CITY OF GARDEN GROVE AND CITY OF ORANGE

SCALE: 1" = 100'

DRAWN BY: JBF

DATE: August 25, 2016

CHECKED BY: KRT

City of Garden Grove

INTER-DEPARTMENT MEMORANDUM

To:	Scott C. Stiles	From:	Lisa L. Kim
Dept.:	City Manager	Dept.:	Community and Economic Development
Subject:	Introduction and first reading of an Ordinance approving Amendment No. A-017-2017 to amend portions of Title 9 of the Municipal Code pertaining to accessory dwelling unit regulations and maintaining the ban on cannabis activities consistent with recent changes to state law, and repealing Chapter 5.85.		
		Date:	5/23/2017

OBJECTIVE

To transmit a recommendation from the Planning Commission to the City Council, and to request that the City Council introduce and conduct the first reading of the attached ordinance approving Amendment No. A-017-2017 to amend portions of Chapters 9.04, 9.08, 9.12, and 9.52 of the Municipal Code to conform the City's Land Use Code to state law by incorporating recent changes to state law regarding accessory dwelling units and private cannabis cultivation, and to repeal the registration process for medical marijuana dispensaries of Chapter 5.85; and determine that the Amendment is exempt from the California Environmental Act.

BACKGROUND

Accessory Dwelling Units

Second units, now called accessory dwelling units (ADUs), have been identified by the state of California as providing an important affordable housing option that is essential to meeting the State's growing housing shortage crisis.

In 1982, the State enacted legislation that authorized local jurisdictions to adopt provisions permitting second dwelling units, while maintaining local control. In 2002, Assembly Bill (AB) 1866 was adopted to update the second unit law to require local jurisdictions to allow second units by-right on lots improved with an existing single-family home, subject to reasonable zoning and development standards.

In 2016, Senate Bill (SB) 1069 and Assembly Bill (AB) 2299 were adopted that amended the State's existing second unit law to further restrict local control over ADUs for the purpose of allowing property owners more flexibility to build ADUs through new construction or through the conversion of existing permitted structures.

These recent changes to state law have significantly restricted and preempted local jurisdictions' authority to regulate certain aspects of ADUs, but still allows jurisdictions to regulate other aspects of ADUs. The proposed code amendment will bring the City's regulations and development standards for ADUs in compliance with the new state law. Pursuant to the new state law, cities that do not adopt an updated ADU ordinance consistent with the new state law are prohibited from imposing any zoning regulations on ADUs.

Cannabis

On November 8, 2016, California voters approved Proposition 64 – the Control, Regulate, and Tax Adult Use of Marijuana Act legalizing recreational marijuana use for adults 21 or older. Although the measure legalized recreational use of marijuana, it permits the City to continue to prohibit marijuana business activities, except that the City may not prohibit adults 21 years or older from cultivating up to six living marijuana plants inside a private residence, or inside an accessory structure that is fully enclosed and secure located at that private residence. The proposed ordinance affirms continuation of the ban against marijuana business activities, but carves out the private cultivation exception so that the City's ban can conform to the new measure.

On April 20, 2017, the Planning Commission held a Public Hearing to consider Amendment No. A-017-2017. At the hearing, three (3) members of the public spoke and asked for clarification on the ADU regulations, and one (1) member of the public spoke expressing concerns about ADU impacts to single-family neighborhoods. The Planning Commission voted 7-0 adopting Resolution No. 5882-17 recommending that the City Council adopt Amendment No. A-017-2017.

DISCUSSION

The purpose of the proposed code amendment is to be in compliance with the recent changes to state law due to SB 1069 and AB 2299 that relates to accessory dwelling units (ADUs), and Proposition 64 that relates to cannabis activities.

ACCESSORY DWELLING UNITS (ADUs)

The proposed amendment will update the definition, parking, unit size, minimum lot size, and other requirements that will facilitate the creation of accessory dwelling units (ADUs) in R-1 (Single-Family Residential) zoned properties improved with an existing single-family home pursuant to SB 1069 and AB 2299. Accessory dwelling units can be created through new construction or through the conversion of existing permitted space within the residence or within an accessory structure.

New Accessory Dwelling Unit Definition:

Title 9 of the Municipal Code currently classifies accessory dwelling units as a "second unit." The recent changes to state law now refer to "second units" as "accessory dwelling units" (ADUs). The proposed code amendment will amend the definition for second units to align with the state's definition, and all references in the Municipal Code to a "second unit" will be changed to "accessory dwelling unit."

New Attached or Detached Accessory Dwelling Units (ADUs) standards:

New accessory dwelling units will continue to be allowed in the R-1 (Single-Family Residential) zone, and the ADU can be designed as a one-story unit that is attached to the primary residence or as a one-story detached unit. This section will discuss the minimum lot size, the minimum unit size, parking, and setback requirements that will apply to attached and detached ADUs.

Minimum Lot Size

The proposed code amendment will reduce the minimum lot size required to construct a new accessory dwelling unit in the R-1 zone from 9,000 square feet to 7,200 square feet. Since the intent of the state law is to facilitate the development of ADUs to meet the state's current housing crisis, reducing the minimum lot size from 9,000 square feet to 7,200 square feet will accomplish this goal, while continuing to provide sufficient land area for property owners to comply with the development standards of the R-1 zone.

Minimum and Maximum Unit Sizes

The proposed code amendment will increase the maximum living area of new attached or detached ADUs from 700 square feet to 800 square feet. State law allows local jurisdictions to establish reasonable minimum and maximum unit sizes for attached or detached ADUs within the guidelines that attached ADUs cannot exceed 50% or 1,200 square feet of the existing dwelling unit and detached accessory units cannot exceed 1,200 square feet. The California Department of Housing and Community Development (HCD) has determined that the typical ADU size can range from 800 square feet to 1,200 square feet, and increasing the permissible maximum unit size from 700 to 800 square feet will help ensure consistency with state law.

State law also requires jurisdictions to include provisions that will allow the construction of efficiency units. Efficiency units are smaller units, about 220 square feet in size, as determined by the California Building Code, that include a kitchen, sink, cooking appliance, refrigerator, and bathroom facility. The proposed code amendment will include provisions that will allow the construction of efficiency units.

Required ADU Parking:

State law has established new parking requirements for ADU's. Pursuant to state law, the maximum parking requirements that can be applied to ADUs are one (1) space per bedroom or per unit, and the parking can be designed as tandem parking located along the existing driveway or within a setback area. State law also prohibits local jurisdictions from requiring any additional parking spaces if the ADU is located within one-half mile from public transit; if the ADU is located within an architecturally and historically significant

district; if the ADU is part of the existing primary residence or an existing accessory structure; if on-street parking permits are required, but not offered to the occupant of the ADU; or if a car-share vehicle station is located one block from the ADU. The proposed code amendment will amend the parking requirements for ADUs to comply with these new requirements. The zoning code will continue to require one (1) parking space for a studio or one (1) bedroom unit or two (2) parking spaces for two (2) bedroom units, and will allow these spaces to be provided as tandem parking spaces. The proposed code amendment will also eliminate the current one-car enclosed garage parking requirement for ADUs to comply with state law.

The state law also limits the type of replacement parking that may be required for the primary residence if an existing enclosed garage is demolished or converted to accommodate the ADU. State law now provides that when a garage, carport, or covered parking structure is demolished in conjunction with the construction of an ADU, the replacement parking spaces may be located in any configuration on the same lot as the ADU, including, but not limited to, as covered spaces, uncovered spaces, or tandem spaces, or by the use of mechanical automobile parking lifts. The proposed code amendment will introduce new language to address replacement parking for the main residence.

ADU Setbacks:

The proposed code amendment will amend the setback requirements for new ADU's to comply with either the R-1 zone setbacks for attached single-story additions or the setbacks for detached one-story accessory structures. The current setbacks that apply to new ADUs can propose a challenge to property owners as the setbacks are more restrictive, and typically range from 20'-0" to 25'-0" depending on the depth of the lot. The proposed code amendment will:

- Allow attached ADUs to comply with the rear setback that apply to one-story single-family additions. This will allow one-story attached ADUs to be constructed up to 10'-0" to the rear property line provided the ADU complies with the required 1,000 square foot of open space in the rear setback area, and the 50% lot coverage requirement.
- Allow detached ADUs to comply with the rear setbacks that apply to detached accessory structures. This will allow one-story detached ADUs to be constructed up to 5'-0" to any rear and side property line provide the ADU complies with the 1,000 square foot open space requirement in the rear yard setback area, as well as the 50% lot coverage requirement.

Conversion of Existing Area within an Existing Single-Family Home or Conversion of an Existing Accessory Structure to an ADU:

The proposed code amendment will introduce new language that will allow the creation of ADUs through conversions. State law allows a homeowner to convert existing space within an existing single-family home or permitted accessory structure into an ADU with minimal restrictions. ADU conversions will only be permitted in the R-1 zone; however, state law specifies that ADUs contained within an existing permitted structure cannot be subject to height, setback, lot size, lot coverage, unit size, architectural review, landscape, parking or other similar development

standards. Also, a building permit cannot be denied for ADU conversions on the basis that the lot or the structure being converted is legal nonconforming. Nevertheless, the conversion of an existing space into an ADU must comply with all applicable California building code requirements, including the plumbing code, electrical code, and energy code.

ADUs that are created through a conversion are not required to provide additional parking for the ADU. Only the required parking for the primary dwelling unit must be accommodated on the property. If a garage conversion is proposed, the property owner would not be required to construct a new enclosed garage to serve the primary residence; however, the property owner can replace the required parking spaces for the primary residence as covered spaces, uncovered spaces, tandem spaces, or through the use of mechanical automobile parking lift. Nevertheless, the total number of required parking spaces to serve the primary residence must remain on the property.

Other Requirements for New Attached/Detached ADUs and ADUs Conversions:

The code will continue to require the property owner to reside on the same property as the ADU. If the property owner ceases to reside on the property, the ADU will automatically become a non-habitable space, and the ADU cannot be used as a dwelling unit or rented or leased. The code amendment will introduce a new provision that prohibits ADUs from being rented as a short-term rental with occupancies of less than 30-days.

The code will continue to require ADUs to be served by the same water, sewer, gas, and electrical connections that serve the primary residence, and no separate utility meters will be allowed for the ADU.

The code will also continue to require that property owners record a land use restriction by which the property owner acknowledges and agrees to comply with the ADU development standards of Title 9 of the Municipal Code.

Other new requirements applicable to ADUs per state law include that ADUs are not required to have fire sprinklers if fire sprinklers are not required for the primary residences, and ADU applications must be approved ministerially within 120-days of submitting a complete application to the City.

Variances:

Finally, the sentence at section 9.08.020.050.L.12 requiring any owner that is unable to comply with the development standards and conditions of the ADU regulations to first apply for and secure a variance will be deleted. Variances are discretionary permits. State law now requires non-discretionary or ministerial approval of ADUs. New ADUs must comply with the new development standards or be denied.

CANNABIS

In order to conform to the November 8, 2016 passage of Proposition 64, the proposed Ordinance will continue to prohibit marijuana business activities in the City, but will provide an exemption for adults 21 years or older cultivating up to six

living marijuana plants inside a private residence, or inside an accessory structure that is fully enclosed and securely located at that private residence.

Furthermore, in 2011 the City had adopted a registration process for medical marijuana dispensaries to identify unauthorized medical marijuana dispensaries operating in the city and prohibit any new medical marijuana dispensaries while new regulatory and zoning provisions were developed and considered. Because the City ultimately adopted a complete ban against marijuana business activities, the proposed Ordinance will repeal the registration provisions, Chapter 5.85 of the Municipal Code.

FINANCIAL IMPACT

None.

RECOMMENDATION

It is recommended that the City Council:

- Conduct a Public Hearing;
- Determine that the Ordinance is categorically exempt from the California Environmental Quality Act pursuant to Title 14, California Code of Regulations, Section 15061(b)(3);
- Introduce and conduct the first reading of the attached Ordinance approving Amendment No. A-017-2017 to amend Title 9 of the Municipal Code adopting accessory dwelling unit regulations and maintaining the ban on cannabis activities consistent with recent changes to state law, and repealing Chapter 5.85.

By: Maria Parra, Urban Planner

ATTACHMENTS:

Description	Upload Date	Type	File Name
Draft City Council Ordinance for A-017-2017	5/10/2017	Ordinance	Draft_City_Council_Ordinance_for_A-017-2017.pdf
Planning Commission Staff Report	4/27/2017	Backup Material	Planning_Commission_Staff_Report.pdf
Planning Commission Resolution No. 5882-17	4/27/2017	Backup Material	Plannning_Commission_Resolution_No._5882-17.pdf

Planning Commission Draft Minute Excerpt April 20, 2017	4/27/2017	Backup Material	Planning_Commission_Draft_Minute_Excerpt_April_20__2017.doc
---	-----------	--------------------	---

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING AMENDMENT NO. A-017-2017 AMENDING PORTIONS OF TITLE 9 (ZONING CODE) AND REPEALING CHAPTER 5.85 OF THE GARDEN GROVE MUNICIPAL CODE ADOPTING ACCESSORY DWELLING UNIT REGULATIONS AND MAINTAINING THE BAN ON CANNABIS ACTIVITIES CONSISTENT WITH RECENT CHANGES TO STATE LAW.

City Attorney Summary

This Ordinance amends the Garden Grove Zoning Code to revise second unit regulations in single-family residential lots and replace them with new accessory dwelling unit regulations consistent with the 2017 revisions to State's Planning and Zoning Law. It further revises the Municipal Code to continue to maintain the ban on cannabis activities consistent with recent changes to state law.

WHEREAS, in 2016 the State Legislature adopted Assembly Bill 2299 and Senate Bill 1069 to streamline current regulations for second units in residential districts, now termed "accessory dwelling units"; and

WHEREAS, the new State regulations preempt local regulation until the City adopts regulations consistent with the standards adopted in the new legislation; and

WHEREAS, on November 8, 2016, California voters approved Proposition 64 – the Control, Regulate, and Tax Adult Use of Marijuana Act (the "Adult Use of Marijuana Act") legalizing recreational marijuana use for adults 21 or older; and

WHEREAS, pursuant to the Adult Use of Marijuana Act, local governments may continue to prohibit cannabis business activities, but may not prohibit adults 21 years or older from cultivating up to six living marijuana plants inside a private residence, or inside an accessory structure located thereon, that is fully enclosed and secure; and

WHEREAS, on August 23, 2011, the City Council adopted Ordinance No. 2798-A, adding Chapter 5.85 "Registration Process for Medical Marijuana Dispensaries" to Title 5 of the Garden Grove Municipal Code. Chapter 5.85 provided for the identification of unauthorized medical marijuana dispensaries operating in the City and prohibited any new medical marijuana dispensaries while new regulatory and zoning provisions were developed and considered; and

WHEREAS, on January 26, 2016, the City Council adopted Ordinance No. 2863, adding Chapter 9.52 "Cannabis Activities" to Title 9 of the Garden Grove Municipal Code. Chapter 9.52 prohibits the establishment, maintenance, or operation of marijuana dispensaries and related commercial cannabis activities, including the

distribution, manufacture cultivation and delivery of cannabis and/or cannabis products in all zoning districts, planned unit development districts, and specific plan areas in the City; and

WHEREAS, the City wishes to continue to provide for the public health, safety and welfare of the community by establishing local controls over land use, including accessory dwelling units and a ban on commercial cannabis activities; and

WHEREAS, following a Public Hearing held on April 20, 2017, the Planning Commission adopted Resolution No. 5882-17 recommending approval of Amendment No. A-017-2017; and

WHEREAS, pursuant to a legal notice, a Public Hearing regarding the proposed adoption of this Ordinance was held by the City Council on May, 23, 2017, and all interested persons were given an opportunity to be heard; and

WHEREAS, the City Council gave due and careful consideration to the matter.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDEN GROVE HEREBY ORDAINS AS FOLLOWS:

SECTION 1: The above recitals are true and correct.

SECTION 2: Subsection C of Section 9.04.060 of Chapter 9.04 of Title 9 of the Garden Grove Municipal Code is hereby amended to add a definition for "Accessory dwelling unit" and to delete the current definition for "Second unit" as follows (additions in ***bold/italic***, deletions in ~~strike-through~~):

"Accessory dwelling unit" (also "ADU," "second unit," or "granny unit") means an attached or detached residential dwelling unit situated on the same parcel as an existing primary single-family dwelling, which provides complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation. An accessory dwelling unit also includes and "efficiency unit" as defined in California Health and Safety Code Section 17958.1 and a "manufactured home" as defined in California Health and Safety Code Section 18007. An accessory dwelling unit may be established through (i) construction of a new detached structure, (ii) construction of an addition to an existing single-family dwelling, (iii) conversion of existing space in an existing single-family dwelling, or (iv) conversion of an existing garage or other accessory structure on a lot containing an existing single-family dwelling, provided it is set back at a distance sufficient for fire safety.

~~"Second unit" means an attached or detached residential dwelling unit located on the same lot as a single-family residence that provides independent~~

~~living facilities for one or more persons, including a kitchen or any other area used for the daily preparation of food.~~

SECTION 3: Table 1 of Section 9.08.020.030 of Chapter 9.08 of Title 9 of the Garden Grove Municipal Code is hereby amended to replace "Second Unit" with "Accessory dwelling unit" as follows (additions in ***bold italic***, deletions in ~~strikethrough~~):

Table 1
CITY OF GARDEN GROVE LAND USE MATRIX

ZONES USES	R-1
Residential	
Accessory Buildings and Structures	I*
<i>Accessory Dwelling Unit</i>	<i>P*</i>
Agricultural Growing and Produce Stand	P
.
Residential Care Facility for the Elderly (RCFE) – 6 Persons or Less	P
Second Unit	p*
Single-Family Dwelling	P
.

SECTION 4: Subsection L of Section 9.08.020.050 of Chapter 9.08 of Title 9 of the Garden Grove Municipal Code is hereby amended to read as follows (additions in ***bold italic***, deletions in ~~strikethrough~~):

- L. ~~Second~~ ***Accessory Dwelling*** Units. Subject to the following conditions:
1. ~~A second~~ ***An accessory*** dwelling unit that conforms to the requirements of this subsection shall be considered consistent with the allowable density for the lot and the single-family land use designation for such lot as provided in the applicable general plan and zone map for such lot. ***Accessory dwelling units shall not be considered new residential uses for the purposes of calculating connection fees or capacity charges for utilities, including water and sewer service.***
 2. The property shall be zoned for R-1 single-family residential uses.
 3. The lot on which the ~~second~~ ***accessory dwelling*** unit is proposed to be established shall contain one existing permanent single-family dwelling (the "primary unit") and no existing granny unit, guest house, servants quarters, accessory living quarters, or

similar facility, unless the proposal includes the demolition or modification of such facility so as to comply with the provisions of this subsection.

4. The primary unit complies with current parking requirements or, if the primary unit does not comply with the parking requirements, the primary unit will be made to comply with the parking requirements as part of the application for a proposed ~~second~~ **accessory dwelling** unit. ***When a garage, carport, or covered parking structure containing required off-street parking spaces for the primary unit is demolished or eliminated in conjunction with the construction of an accessory dwelling unit, said parking spaces shall be replaced. These replacement parking spaces may be located in any configuration on the same lot as the accessory dwelling unit, including, but not limited to, as covered spaces, uncovered spaces, tandem spaces, or by the use of mechanical automobile parking lifts.***
5. ***The lot and all structures thereon shall be legal or legal nonconforming, or will be made so prior to development of the accessory dwelling unit.*** If the primary unit or any associated accessory structures have legally established deviations or variances from current zoning requirements, a ~~second~~ **an accessory dwelling** unit may be permitted, provided the ~~second~~ **accessory dwelling** unit complies in all respects with the requirements of this subsection.
6. Adequate infrastructure, including, but not limited to, sewer and water services and ***streets sufficient for*** traffic flow and circulation, shall be available within the residential neighborhood in which the ~~second~~ **an accessory dwelling** unit ***not located within the space of an existing structure*** is proposed to be located to serve such ~~second~~ **accessory dwelling** unit, ***as determined by the Public Works Director.***
7. The ~~second~~ **accessory dwelling** unit may be either attached to or detached from, ***or located within the existing space of,*** the existing single-family residence and shall be located on the same lot as the existing single-family residence.
8. ***Except as otherwise provided in this subsection or by state law,*** ~~the~~ the following development and design standards shall apply to ~~second~~ **accessory dwelling** units:
 - a. The lot is a minimum of ~~9,000~~ **7,200** square feet in size.

- b. No more than one ~~second~~ **accessory dwelling** unit shall be allowed on a single lot.
- c. Each ~~second~~ **accessory dwelling** unit shall meet the following minimum sizes based on the number of sleeping rooms, ***provided, however, that a smaller unit constituting an "efficiency unit" as defined California Health and Safety Code Section 17958.1 is permitted:***
 - i. Studio units: 500 square feet.
 - ii. One sleeping room: 600 square feet.
 - iii. Two sleeping rooms: 700 square feet.
- d. The ~~second~~ **accessory dwelling** unit shall not contain more than two sleeping units and shall not exceed ~~700~~ **800** square feet in area, except as expressly provided herein.
- e. The ~~second~~ **accessory dwelling** unit may include an attached covered patio and/or porch, which, if provided, shall be integrated into the design of the ~~second~~ **accessory dwelling** unit and shall not exceed 80 square feet.
- f. The ~~second~~ **accessory dwelling** unit may include an attached one-car garage, which, if provided, shall be integrated into the design of the ~~second~~ **accessory dwelling** unit and shall not exceed 250 square feet.
- g. In no event shall ~~an second~~ **accessory dwelling** unit including porch, patio, and garage, exceed ~~1,000~~ **1,100** square feet.
- h. The ~~second~~ **accessory dwelling** unit shall have a separate entrance and shall contain kitchen and bathroom facilities separate from those of the existing single-family residence. Laundry hookups to serve the ~~second~~ **accessory dwelling** unit are encouraged.
- i. ***Unless otherwise required by applicable law or the utility provider or determined by the Public Works Director to be necessary, an accessory dwelling unit shall be served by the same water, sewer, and other***

utility connections serving the primary unit, and no ~~No~~ separate utility meters shall be permitted for the second **accessory dwelling** unit. **An accessory dwelling unit must receive the approval of the local health officer where a private sewage disposal system is being used.**

- j. **Except to the extent otherwise provided in this subsection,** ~~The second~~ **the accessory dwelling** unit shall conform to all the development standards for the R-1 zone **set forth in Section 9.08.040**, including, but not limited to, standards for front, rear, and side yard setbacks, height, ~~and~~ lot coverage, **lot width, building placement, design and architectural compatibility, driveway width, screening of mechanical equipment and metering devices, landscaping, walls, fences, hedges, and parking spaces.**
- k. The ~~second~~ **accessory dwelling** unit shall be considered as part of the 50% lot coverage calculation that also includes all buildings and structures (primary and accessory), **and** uncovered and covered parking areas, ~~and~~ driveways, but excludes uncovered swimming pools and uncovered **permeable or semi-permeable** recreational **surface** areas.
- l. **Attached accessory dwelling units shall comply with the setback standards established for additions to single-family dwellings, and detached accessory dwelling units shall comply with the setback standards established for detached accessory structures. Notwithstanding the foregoing, no setback is required where an existing garage is converted to an accessory dwelling unit. A minimum five (5) foot yard rear and side yard setback is required for any accessory dwelling unit constructed above an existing garage (if otherwise permitted).** A detached ~~second~~ **accessory** dwelling unit shall have a minimum separation of six feet between the primary unit and the detached-~~second~~ **accessory dwelling** unit.
- m. ~~Second~~ **Detached accessory dwelling** units shall be one story, constructed at ground level, and shall not be more than 17 feet in height measured from ground level to the highest point on the roof. **Attached accessory dwelling units developed as additions to primary dwelling**

units shall be subject to the height limits and related standards applicable to additions to existing single-family residences, including, but not limited to, all privacy provisions limiting window placement and design. Exterior stairs associated with an attached accessory dwelling unit shall only be permitted if they would otherwise be allowed for the primary unit, shall not be located on the front façade of the structure, and shall be oriented and designed in such a manner so as not to permit unobscured views into windows of adjacent residential dwelling units or to pools, spas, or similar recreational areas situated on adjacent properties.

- n. The design, color, material, and texture of the roof of the second ***accessory dwelling*** unit shall be substantially the same as the primary unit.
- o. The color, material, and texture of all building walls of the second ***accessory dwelling*** unit shall be similar to and compatible with the primary unit.
- p. The design of the second ***accessory dwelling*** unit shall be architecturally compatible with the primary unit and shall maintain the scale and appearance of the existing single-family unit.
- q. ***Except as otherwise provided herein, one*** ~~One enclosed off-street~~ ***parking*** space shall be provided for a single ***an accessory dwelling*** unit with one bedroom or no bedroom. ~~One enclosed space and one uncovered~~ ***Two off-street parking*** spaces shall be provided for a two-bedroom second ***accessory dwelling*** unit. ~~The one uncovered space may be designed as a tandem parking space in front of the new enclosed space for the second unit.~~ ***Parking for the accessory dwelling unit is in addition to the required parking for the primary unit. Required off-street parking spaces for an accessory dwelling unit may be provided as tandem parking on an existing driveway or in setback areas approved by the Community and Economic Development Director ("Director"), unless the Director specifically finds that such parking arrangements are not feasible based upon specific site or regional topographical or fire or life safety conditions, or are not permitted anywhere in the city.***

Exception: No additional off-street parking spaces are required for a new accessory dwelling unit in any of the following circumstances:

- i. The accessory dwelling unit is located within one-half mile of public transit;***
 - ii. The accessory dwelling unit is located within an architecturally and historically significant district;***
 - iii. The accessory dwelling unit is part of the existing primary residence or an existing accessory structure;***
 - iv. When on-street parking permits are required, but not offered to the occupant of the accessory dwelling unit; or***
 - v. When there is a car share vehicle located within one block of the accessory dwelling unit.***
- r. To the maximum extent feasible, the ~~second~~ **accessory dwelling** unit shall utilize the same vehicular access that serves the primary dwelling unit; however, the parking area for the second unit shall have approved access to a public right-of-way.
- s. An accessory dwelling unit shall have a separate entrance than the primary unit. An uncovered pathway from the street to the entrance of an accessory dwelling unit (called as a "passageway") is not required.***
9. The owner of the property shall occupy one of the residential units. The residential unit that is not occupied by the owner may be rented or leased ***for terms of 30 days or more***. In the event the owner of the lot shall cease to occupy a unit on the lot, the ~~second~~ **accessory dwelling** unit shall automatically become non-habitable space, shall not be used as a dwelling unit, and shall not be rented or leased for any purpose.
10. Sale or ownership of a ~~second~~ **an accessory dwelling** unit separate from the existing single-family unit is prohibited.

11. Prior to issuance of a building permit for a ~~second~~ **an accessory dwelling** unit, the property owner shall record with the County Recorder's office an agreement with the City setting forth the property owner's acknowledgement and agreement with the requirements of this subdivision, in a form satisfactory to the City Manager or the City Manager's designee and the City Attorney or the City Attorney's designee, **which runs with the land and describes restrictions that allow for the continued use of the accessory dwelling unit as follows:**
 - a. **The accessory dwelling unit shall not be sold or owned separately from the primary dwelling unit on the property, and the property shall not be subdivided in any manner that would authorize such separate sale or ownership.**
 - b. **The accessory dwelling unit may not be rented for a term of less than thirty (30) days.**
 - c. **The accessory dwelling unit is restricted to the size and attributes set forth in this subsection. If the accessory dwelling unit is an "efficiency unit" as defined California Health and Safety Code Section 17958.1, occupancy of the unit shall be restricted to no more than the number of persons corresponding to the size of the efficiency unit.**
 - d. **The required number of parking spaces (if any) shall be provided for the accessory dwelling unit at all times.**
 - e. **The accessory unit shall be considered legal only so long as either the primary dwelling unit, or the accessory dwelling unit, is occupied by an owner of record of the property as his or her principal residence. In the event an owner of the lot shall cease to occupy a unit on the lot, the accessory dwelling unit shall automatically become non-habitable space, shall not be used as a dwelling unit, and shall not be rented or leased for any purpose.**
 - f. **The restrictions shall run with the land and be binding upon any successor in ownership of the property, and lack of compliance shall be good cause for legal action against the property owner for**

compliance with the requirements for an accessory dwelling unit.

12. ***Applications for development of an accessory dwelling unit must be submitted to the Director on a form prepared by the city and must include all information and materials proscribed by such form. No application shall be accepted unless it is completed as prescribed and is accompanied by payment for all applicable fees. The Director shall ministerially review and approve or disapprove a complete application for an accessory dwelling unit within 120 days of submittal of a complete application. Review is limited to ensure that the accessory dwelling unit complies with the requirements of this subsection. Any owner that is unable to comply with the development standards and conditions of this subsection shall first apply for and secure the approval of a variance pursuant to the provisions of this code before a second unit may be approved.***
13. ***In addition to approval of an accessory dwelling unit application, the applicant shall be required to obtain any appropriate permits from the building division prior to the construction or conversion of the accessory dwelling unit. Except as otherwise provided in this subsection or by state law, all building, fire, and related code requirements applicable to habitable dwellings apply to accessory dwelling units. Pursuant to Government Code section 65852.2, an accessory dwelling unit shall not be required to provide fire sprinklers if they are not required for the primary unit.***
14. ***Notwithstanding the provisions of paragraph 8 of this subsection, the city shall approve a building permit for an accessory dwelling unit to create within a single-family residentially zoned property one accessory dwelling unit per single-family lot if the accessory dwelling unit is contained within the building envelope of an existing legal primary unit, garage, or other accessory structure, has independent exterior access from the existing legal primary unit, complies with all building standards, and the Director determines that the side and rear setbacks are sufficient for fire safety.***

SECTION 5: Exemption (b.) of Subsection D of Section 9.08.040.030 of Chapter 9.08 of Title 9 of the Garden Grove Municipal Code is hereby amended to read as follows (additions in ***bold italic***, deletions in ~~strikethrough~~):

Exemptions:

- a. One-story detached accessory structures used as tool sheds, playhouses and similar uses shall be exempt from the architectural requirements contained in Section 9.08.040.030.A, provided any such structure does not exceed 120 square feet of projected roof area and is located to the rear and interior side of the main building.
- b. ~~Second~~ ***Accessory dwelling*** units, including porch and/or patio areas and enclosed parking areas dedicated to the ~~second~~ ***accessory dwelling*** unit that are within the maximum area for a ~~second~~ ***accessory dwelling*** unit, shall be exempt from the provisions of this subsection.

SECTION 6: Exemption (b.) of Subsection D of Section 9.12.040.030 of Chapter 9.08 of Title 9 of the Garden Grove Municipal Code is hereby amended to read as follows (additions in ***bold italic***, deletions in ~~strikethrough~~):

Exemptions:

- a. One-story detached accessory structures used as tool sheds, playhouses and similar uses shall be exempt from the architectural requirements contained in Section 9.12.040.030.A, provided any such structure does not exceed 120 square feet of projected roof area and is located to the rear and interior side of the main building.
- b. ~~Second~~ ***Accessory dwelling*** units, including porch and/or patio areas and enclosed parking areas dedicated to the ~~second~~ ***accessory dwelling*** unit that are within the maximum area for a ~~second~~ ***accessory dwelling*** unit, shall be exempt from the provisions of this subsection.

SECTION 7: Chapter 5.85 of Title 5 of the Garden Grove Municipal Code is hereby repealed.

SECTION 8: Section 9.52.020 of Chapter 9.52 of Title 9 of the Garden Grove Municipal Code is hereby amended to read as follows (additions in ***bold/italics***, deletions in ~~strike-through~~):

- A. Cannabis Dispensaries and Delivery Prohibited. ***Except as exempted in subsection (C) below***, cannabis dispensaries and cannabis delivery are prohibited in all zoning districts, planned unit development districts,

and specific plan areas in the City. It shall be unlawful for any person or entity to own, manage, conduct, or operate any cannabis dispensary or cannabis delivery service or to participate as an employee, contractor, agent or volunteer, or in any other manner or capacity, in any cannabis dispensary or cannabis delivery service in the City of Garden Grove.

- B. Establishment or Maintenance of Cannabis Dispensaries Declared a Public Nuisance. ***Except as exempted in subsection (C) below,*** the establishment, maintenance, or operation of a cannabis dispensary or cannabis delivery service as defined in this chapter within the City limits of the City of Garden Grove is declared to be a public nuisance and enforcement action may be taken and penalties assessed pursuant to Title 1, Chapter 1.04 of the Garden Grove Municipal Code, and/or any other law or ordinance that allows for the abatement of public nuisances.
- C. ***Exemptions. Pursuant and subject to Proposition 64 adopted by the State voters in November 2016, this section shall not prohibit (1) the possession, planting, cultivation, harvesting, drying, or processing of up to 6 marijuana plants by persons 21 years of age or older inside a private residence, or inside an accessory structure to a private residence located upon the grounds of a private residence that is fully enclosed and secure; or (2) the possession of or giving away of the marijuana produced by such plants to persons 21 years of age or older.***

SECTION 9: Section 9.52.030 of Chapter 9.52 of Title 9 of the Garden Grove Municipal Code is hereby amended to read as follows (additions in ***bold/italics***, deletions in ~~strike through~~):

- A. Cannabis Cultivation Prohibited. ***Except as exempted in subsection (C) below,*** the cultivation of cannabis and/or the establishment, maintenance or operation of any cannabis cultivation site is prohibited in all zoning districts, planned unit development districts, and specific plan areas in the City.
- B. Establishment or Maintenance of Cannabis Cultivation Site Declared a Public Nuisance. ***Except as exempted in subsection (C) below,*** the establishment, maintenance, or operation of a cannabis cultivation site as defined in this chapter within the City limits of the City of Garden Grove is declared to be a public nuisance and enforcement action may be taken and penalties assessed pursuant to Title 1, Chapter 1.04 of the Garden Grove Municipal Code, and/or any other law or ordinance that allows for the abatement of public nuisances.
- C. ***Exemptions. Pursuant and subject to Proposition 64 adopted by the State voters in November 2016, this section shall not***

prohibit the possession, planting, cultivation, harvesting, drying, or processing of up to 6 marijuana plants by persons 21 years of age or older inside a private residence, or inside an accessory structure to a private residence located upon the grounds of a private residence that is fully enclosed and secure.

SECTION 10: The City Council hereby finds that this Ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080.17 and CEQA Guidelines Section 15061(b)(3).

SECTION 11: If any section, subsection, subdivision, sentence, clause, phrase, word, or portion of this Ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, subdivision, sentence, clause, phrase, word, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, words or portions thereof be declared invalid or unconstitutional.

SECTION 12: The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same, or the summary thereof, to be published and posted pursuant to the provisions of law and this Ordinance shall take effect thirty (30) days after adoption.

The foregoing Ordinance was passed by the City Council of the City of Garden Grove on the ____th day of _____ 2017.

ATTEST:

MAYOR

CITY CLERK

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

I, Teresa Pomeroy, City Clerk of the City of Garden Grove, do hereby certify that the foregoing Ordinance was introduced for first reading and passed to second reading on _____, 2017, with a vote as follows:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:

and was passed on _____, 2017, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:

CITY CLERK

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

AGENDA ITEM NO.: C.1.	SITE LOCATION: Citywide
HEARING DATE: April 20, 2017	GENERAL PLAN: N/A
CASE NO.: Amendment No. A-017-2017	ZONE: N/A
APPLICANT: City of Garden Grove	
OWNER: N/A	CEQA DETERMINATION: Exempt

REQUEST:

Recommend approval to the City Council of a City-initiated zoning text amendment to portions of Chapters 9.04, 9.08, 9.12, and 9.52 to conform the City's Land Use Code by incorporating recent changes to state law regarding accessory dwelling units and the private cannabis cultivation.

BACKGROUND:

Accessory Dwelling Units

Second units, now called accessory dwelling units (ADUs), have been identified by the State as providing an important affordable housing option that is essential to meeting the State's growing housing shortage crisis.

The State's second unit law was first enacted in 1982 and authorized local jurisdictions to adopt provisions for permitting second dwelling units, while maintaining local control. In 2002, the State Legislature adopted Assembly Bill (AB) 1866 to update the second unit law to require local jurisdictions to allow second units by-right on lots improved with an existing single-family home, subject to reasonable zoning and development standards. The City's current second unit regulations comply with AB 1866.

In 2016, the State Legislature adopted Senate Bill (SB) 1069 and Assembly Bill (AB) 2299, which amended the State's existing second unit law to further restrict local control over ADUs for the purpose of allowing property owners more flexibility to build ADUs through new construction or through the conversion of existing permitted structures. The new state law significantly restricts and preempts local jurisdictions' authority to regulate certain aspects of ADUs, including parking, but still allows jurisdictions to regulate other aspects of ADUs. The proposed code amendment will bring the City's regulations and development standards for ADUs in compliance with the new state law. Pursuant to the new state law, cities that do not adopt an updated ADU ordinance consistent with the new state law are prohibited from imposing any zoning regulations on ADUs.

Cannabis

On November 8, 2016, California voters approved Proposition 64 – the Control, Regulate, and Tax Adult Use of Marijuana Act legalizing recreational marijuana use for adults 21 or older. Although the measure legalized recreational use of marijuana, it permits the City to continue to prohibit marijuana business activities, except that the City may not prohibit adults 21 years or older from cultivating up to six living marijuana plants inside a private residence, or inside an accessory structure that is fully enclosed and secure located at that private residence. The proposed ordinance affirms continuation of the ban against marijuana business activities, but carves out the private cultivation exception so that the City's ban can conform to the new measure.

DISCUSSION:

The proposed amendment will allow the City of Garden Grove to be in compliance with the provisions of SB 1069 and AB 2299 that relate to accessory dwelling units (ADUs), and Proposition 64 that relates to cannabis activities. The exact proposed changes to the Municipal Code are shown in the draft City Council Ordinance (Exhibit "A") that is attached to the proposed Planning Commission Resolution No. 5882-17.

ACCESSORY DWELLING UNITS (ADUs)

The proposed amendment will update the definition, parking, unit size, minimum lot size, and other requirements that will facilitate the creation of accessory dwelling units (ADUs) in R-1 (Single-Family Residential) zoned properties improved with an existing single-family home pursuant to SB 1069 and AB 2299.

Accessory Dwelling Unit Definition:

Currently, Title 9 of the Municipal Code classifies accessory dwelling units as a "second unit." With the recent changes to state law, "second units" are now referred to as "accessory dwelling units" (ADUs). The proposed code amendment will amend the definition for second units to align with the state's definition, and all references in the Municipal Code to a "second unit" will be changed to "accessory dwelling unit."

In summary, an ADU is an attached or detached residential dwelling unit located on a parcel improved with an existing single-family residence that provides complete independent living facilities from the primary dwelling unit, including having separate living, sleeping, cooking, and sanitation facilities. The definition identifies that ADUs can be established through new construction, conversion of existing space located within an existing single-family residence, or conversion of an existing garage or accessory structure located on a lot improved with a single-family residence.

New Attached or Detached Accessory Dwelling Units (ADUs) Standards

New accessory dwelling units will continue to be allowed in the R-1 (Single-Family Residential) zone. ADUs can be designed as an attached unit to the primary residence

or as a detached unit. This section will discuss the minimum lot size, the minimum unit size, parking, and setback requirements that will apply to attached and detached ADUs.

Minimum Lot Size

The proposed code amendment will amend the minimum lot size required to construct a new accessory dwelling unit on an R-1 zone property. Title 9 of the Municipal Code currently requires a minimum lot size of 9,000 square feet to construct an ADU in the R-1 zone. Since the intent of the state law is to facilitate the development of ADUs to meet the state's current housing crisis, the City has determined that reducing the minimum lot size from 9,000 square feet to 7,200 square feet will accomplish this goal. The proposed minimum lot size of 7,200 square feet will continue to be sufficient in size to allow property owners to construct a new ADU that complies with the development standards of the R-1 zone, including setbacks, lot coverage, and parking, while meeting the intent of state law.

Minimum and Maximum Unit Sizes

The proposed code amendment will increase the maximum living area of new attached or detached ADUs from 700 square feet to 800 square feet. State law allows local jurisdictions to establish minimum and maximum unit sizes for attached or detached ADUs. State law specifies that attached ADUs cannot exceed 50% or 1,200 square feet of the existing dwelling unit, and detached accessory units cannot exceed 1,200 square feet; however, local jurisdictions are still permitted to establish reasonable minimum and maximum unit sizes for attached and detached ADUs, so long as such limits do not unreasonably restrict the ability of homeowners in the City to create ADUs. The California Department of Housing and Community Development (HCD) has determined that the typical ADU size can range from 800 square feet to 1,200 square feet and has indicated that an 800 square foot maximum unit size would be consistent with state law. Increasing the permissible maximum unit size of the ADU from 700 to 800 square feet will help ensure the consistency with state law, while continuing to ensure that the ADU functions as an accessory unit to the primary residence.

An 800 square foot ADU will continue to provide ample living area that, based on previous second unit designs approved by the City, can accommodate up to two (2) bedrooms, two (2) bathrooms, a kitchen, and a living room. The code will continue to maintain the minimum living area sizes for ADUs, which includes 500 square feet for studio units, 600 square feet for one (1) bedroom units, and 700 square feet for two (2) bedroom units.

In addition, state law requires jurisdictions to include provisions that will allow the construction of efficiency units. Efficiency units are smaller units, about 220 square feet in size, as determined by the California Building Code, that include a kitchen, sink, cooking appliance, refrigerator, and bathroom facility. The proposed code amendment will include provisions that will allow the construction of efficiency units on R-1 zone properties.

In addition, attached and detached ADUs will continue to be limited to one-story in height, and cannot be constructed as a two-story unit.

Required ADU Parking

The code amendment will eliminate the one-car enclosed garage parking requirement for ADUs to comply with the new limitations on parking requirements established by state law. Currently, the Municipal Code requires a one-car enclosed garage to be constructed in conjunction with a second unit. The one-car enclosed garage will no longer be required for ADUs. State law establishes the maximum parking requirements that can be applied to ADUs, which is one (1) space per bedroom or per unit, and the parking can be designed as tandem parking located along the existing driveway or within a setback area. In addition, the new state law prohibits local jurisdictions from requiring any additional parking spaces if the ADU is located within one-half mile from public transit; if the ADU is located within an architecturally and historically significant district; if the ADU is part of the existing primary residence or an existing accessory structure; if on-street parking permits are required, but not offered to the occupant of the ADU; or if a car-share vehicle station is located one block from the ADU.

The proposed code amendment will amend the parking requirements for ADUs to comply with state law. The Code will continue to require one (1) parking space for a studio or one (1) bedroom unit or two (2) parking spaces for two (2) bedroom units. Pursuant to the new state law, the ADU parking spaces can be designed as tandem parking spaces along the existing driveway for the residence; however, the existing driveway must continue to accommodate the required parking for both the primary residence and the ADU. Nevertheless, construction of a one-car enclosed garage will still remain an option that is available to property owners. The code amendment will also include language from the state law that identifies when no parking will be required for ADUs as stated above.

Finally, the state law also limits the type of replacement parking that may be required for the primary residence if an existing enclosed garage is demolished or converted to accommodate the ADU. State law now provides that when a garage, carport, or covered parking structure is demolished in conjunction with the construction of an ADU, and the local agency requires those off-street parking spaces to be replaced, the replacement parking spaces may be located in any configuration on the same lot as the ADU, including, but not limited to, as covered spaces, uncovered spaces, or tandem spaces, or by the use of mechanical automobile parking lifts. This means that the City cannot require the primary residence to replace an existing required garage that is demolished with a new enclosed garage in order to facilitate the construction of a new ADU. However, the existing on-site parking that remains on the property must be adequate to accommodate the required parking for both the primary residence and the ADU.

ADU Setbacks

The current code requires ADUs to comply with the setbacks that apply to new single-family homes. Most second units are able to comply with the front and side setback requirements (see Table 1 below), but often, complying with the rear setback can be a challenge since the rear setback is determined by the depth of the lot. Typically, rear setbacks for second units can range from 20'-0" to 25'-0," depending on the depth of the lot, which is often too restrictive for some property owners to comply with. In order to assist with development of ADUs per the goals of the state law, the setback requirements for attached and detached ADUs will be amended.

Attached ADUs will be required to comply with the rear setback that applies to one-story single-family additions. This will allow attached ADUs to be constructed up to 10'-0" to the rear property line provided the ADU complies with the required 1,000 square foot of open space in the rear yard setback area, and the 50% lot coverage requirement.

Detached ADUs will be allowed to be constructed 5'-0" to any rear and side property line, which is consistent with the setbacks that apply to detached accessory structures. However, lots with ADUs will still be required to comply with the 1,000 square foot open space requirement in the rear yard setback area, as well as the 50% lot coverage requirement.

Table 1 below provides a comparison between the current and proposed setback standards for attached and detached ADUs.

Table 1: Setback Comparison

	Current Code	Proposed Attached ADU	Proposed Detached ADU
Setbacks			
Front	20'-0"	20'-0"	20'-0"
Side (interior)	5'-0"	5'-0"	5'-0"
Street Side	10'-0"	10'-0"	10'-0"
Rear*	20% of the lot depth not to exceed 25'-0"	10'-0"	5'-0"

*Must maintain 1,000 square feet of open usable space in the required rear yard setback area.

Conversion of Existing Area within an Existing Single-Family Home or Conversion of an Existing Accessory Structure to an ADU

State law now allows a homeowner to convert existing space within an existing single-family home or permitted accessory structure to be converted into an ADU with minimal restrictions. ADU conversions will only be permitted in the R-1 zone; however, state law specifies that ADUs contained within an existing permitted structure cannot be subject to height, setback, lot size, lot coverage, unit size, architectural review, landscape, parking or other similar development standards.

Also, a building permit cannot be denied for ADU conversions on the basis that the lot or the structure being converted is legal nonconforming. Nevertheless, the conversion of an existing space into an ADU must comply with all applicable California building code requirements, including the plumbing code, electrical code, and energy code.

ADUs that are created through a conversion are not required to provide additional parking for the ADU. Only the required parking for the primary dwelling unit must be accommodated on the property. If a garage conversion is proposed, the property owner would not be required to construct a new enclosed garage to serve the primary residence; however, the property owner can replace the required parking spaces for the primary residence as covered spaces, uncovered spaces, tandem spaces, or through the use of mechanical automobile parking lift. Nevertheless, the total number of required parking spaces to serve the primary residence must remain on the property.

Other requirements for New Attached/Detached ADUs and ADUs Conversions

The code will continue to require the property owner to reside on the same property as the ADU. If the property owner ceases to reside on the property, the ADU will automatically become a non-habitable space, and the ADU cannot be used as a dwelling unit or rented or leased. The code amendment will introduce a new provision that prohibits ADUs from being rented as a short-term rental with occupancies of less than 30-days.

The code will continue to require ADUs to be served by the same water, sewer, gas, and electrical connections that serve the primary residence, and no separate utility meters will be allowed for the ADU.

The code will also continue to require that property owners record a land use restriction by which the property owner acknowledges and agrees to comply with the ADU development standards of Title 9 of the Municipal Code.

Other new requirements applicable to ADUs per state law include that ADUs are not required to have fire sprinklers if fire sprinklers are not required for the primary residences, and ADU applications must be approved ministerially within 120-days of submitting a complete application to the City.

Exhibit "A" is a summary of the current second unit code and the proposed code amendment for new attached/detached ADUs and ADU conversions. Exhibit "B" is a redline of the State ADU statutes showing the recent changes. Exhibit "C" is a copy of the Accessory Dwelling Unit Memorandum prepared by HCD that provides an overview of SB 1066 and AB 2266 and includes frequently asked questions about ADUs.

CANNABIS

In order to conform to the November 8, 2016 passage of Proposition 64, the draft ordinance will continue to prohibit marijuana business activities in the City, but will provide an exemption for adults 21 years or older cultivating up to six living marijuana plants inside a private residence, or inside an accessory structure that is fully enclosed and secure located at that private residence.

Furthermore, in 2011 the City had adopted a registration process for medical marijuana dispensaries to identify unauthorized medical marijuana dispensaries operating in the City and prohibit any new medical marijuana dispensaries while new regulatory and zoning provisions were developed and considered. Because the City ultimately adopted a complete ban against marijuana business activities, the proposed ordinance will repeal the registration provisions, Chapter 5.85 of the Municipal Code.

RECOMMENDATION:

Staff recommends that the Planning Commission:

1. Adopt the proposed Resolution recommending approval of Amendment No. A-017-2017 to the City Council.



LEE MARINO
Planning Services Manager



By: Maria Parra
Urban Planner

Exhibit "A"
Accessory Dwelling Unit Summary Chart

	Current Code	Proposed Code for New Attached/Detached ADUs	Proposed Code for ADU Conversion Within Existing Permitted Structure
1. Zoning	R-1 zone developed with an existing single-family home	R-1 zone developed with an existing single-family home	R-1 zone developed with an existing single-family home
2. Minimum Lot Size	9,000 sq. ft.	7,200 sq. ft.	Not subject to lot size requirement per state law
3. Unit Configuration	Attached or Detached	Attached or Detached	ADU must be entirely within an existing dwelling unit or accessory structure
4. Building Height	1-story (17 ft.)	1-story (17 ft.)	1-story for detached accessory structures only; second-story ADU conversions allowed within the primary residence
5. Number of ADU Permitted	1	1	1
6. Maximum Unit Size	700 sq. ft.	800 sq. ft.	Not subject to maximum unit size per state law. Minimum unit size must comply with the building code requirement
7. Minimum Unit Size per Bedroom			
Efficiency Unit	N/A	220 sq. ft. per building code	220 sq. ft. per building code
Studio	500 sq. ft.	500 sq. ft.	
1-Bedroom	600 sq. ft.	600 sq. ft.	
2-Bedroom	700 sq. ft.	700 sq. ft.	
8. Parking			Not subject to parking requirement per state law
Studio/1-Bed	1 enclosed	1 open space	
2-Bed	1 enclosed/1 open	2 open spaces	
9. Garage Size	250 sq. ft. max.	250 sq. ft. max., but not required per state law	
10. Porch Permitted	80 sq. ft. max.	80 sq. ft. max.	80 sq. ft. max.
11. Overall ADU including garage and porch	1,000 sq. ft.	1,100 sq. ft.	N/A
12. Total Lot Coverage with main home and ADU	50% max.	50% max.	N/A
13. Other Requirements/Restrictions			
Additional Parking Requirements	N/A	<ul style="list-style-type: none"> Parking can be tandem on the existing driveway or in setback area No parking is required if the ADU is located within .5 mile of public transit; within an architecturally and historically significant district, located where on-street parking 	<ul style="list-style-type: none"> No parking for the ADU is required for conversions

			permits are required, or located within one block of a care share vehicle	
Development Standards	<ul style="list-style-type: none"> ADU must comply with R-1 zone standards Detached ADU's must maintain a 6 ft. setback from primary unit ADU design, colors, materials, roof shapes required to be architecturally compatible with primary unit 	N/A	<ul style="list-style-type: none"> ADU must comply with R-1 zone and new setback requirements ADU design, colors, materials, roof shapes required to be architecturally compatible with primary unit 	
Utility Connection	<ul style="list-style-type: none"> No separate utility meters allowed for the second unit 	<ul style="list-style-type: none"> No separate utility meters will be allowed for the ADU ADU cannot be considered a new residential use for purpose of utility connection fee or capacity charges, including water and sewer 	<ul style="list-style-type: none"> No separate utility meters will be allowed ADU cannot be considered a new residential use for purpose of utility connection fee or capacity charges, including water and sewer 	
Owner Occupancy Requirement	<ul style="list-style-type: none"> The property must be owner occupied and a deed restriction must be recorded The ADU cannot be sold separately from the primary residence 	<ul style="list-style-type: none"> The property must be owner occupied and a deed restriction must be recorded The ADU cannot be sold separately from the primary residence The AUD cannot be rented for less than 30-days 	<ul style="list-style-type: none"> The property must be owner occupied and deed restriction must be recorded The ADU cannot be sold separately from the primary residence The AUD cannot be rented for less than 30-days 	
New Fire Requirements		<ul style="list-style-type: none"> Cannot require fire sprinklers for the ADU if they are not required for primary residence 	<ul style="list-style-type: none"> Cannot require fire sprinklers for the ADU if they are not required for primary residence 	
Replacement of Parking for Garage Demolition or Conversion	<ul style="list-style-type: none"> The garage for the primary unit must be replaced with a garage 	<ul style="list-style-type: none"> The parking for the primary unit can be replaced in the same configuration as the ADU (covered spaces, uncovered spaces, tandem spaces, or with use of mechanical automobile parking lift). 	<ul style="list-style-type: none"> The parking for the primary unit can be replaced in the same configuration as the ADU (covered spaces, uncovered spaces, tandem spaces, or with use of mechanical automobile parking lift) 	
Building Requirement	<ul style="list-style-type: none"> ADU must comply with all applicable building code requirements 	<ul style="list-style-type: none"> ADU must comply with all applicable building code requirements 	<ul style="list-style-type: none"> ADU must comply with all applicable building code requirements Building permits cannot be denied on the basis that the lot or structure being converted is legal nonconforming 	
Approval Process	<ul style="list-style-type: none"> Ministerially 	<ul style="list-style-type: none"> Ministerially within 120 days 	<ul style="list-style-type: none"> Ministerially within 120 days 	

AMENDMENTS TO STATE ADU LAW
(GOVERNMENT CODE §§ 65852.150, AND 65852.2)

65852.150.

(a) The Legislature finds and declares ~~that all of the following:~~

(1) Accessory dwelling ~~second~~ units are a valuable form of housing in California.

(2) Accessory dwelling ~~Second~~ units provide housing for family members, students, the elderly, in-home health care providers, the disabled, and others, at below market prices within existing neighborhoods.

(3) Homeowners who create ~~second~~ accessory dwelling units benefit from added income, and an increased sense of security.

(4) Allowing accessory dwelling units in single-family or multifamily residential zones provides additional rental housing stock in California.

(5) California faces a severe housing crisis.

(6) The state is falling far short of meeting current and future housing demand with serious consequences for the state's economy, our ability to build green infill consistent with state greenhouse gas reduction goals, and the well-being of our citizens, particularly lower and middle-income earners.

(7) Accessory dwelling units offer lower cost housing to meet the needs of existing and future residents within existing neighborhoods, while respecting architectural character.

(8) Accessory dwelling units are, therefore, an essential component of California's housing supply.

(b) It is the intent of the Legislature that ~~any second-unit ordinance~~ an accessory dwelling unit ordinance adopted by a local ~~agencies have~~ agency has the effect of providing for the creation of ~~second~~ accessory dwelling units and that provisions in ~~these ordinance~~ this ordinance relating to matters including unit size, parking, fees, and other requirements, are not so arbitrary, excessive, or burdensome so as to unreasonably restrict the ability of homeowners to create ~~second~~ accessory dwelling units in zones in which they are authorized by local ordinance.

65852.2.

(a) (1) Any local agency may, by ordinance, provide for the creation of ~~second~~ accessory dwelling units in single-family and multifamily residential zones. The ordinance ~~may~~ shall do ~~any~~ all of the following:

(A) Designate areas within the jurisdiction of the local agency where ~~second~~ accessory dwelling units may be permitted. The designation of areas may be based on criteria, that may include, but are not limited to, the adequacy of water and sewer services and the impact of ~~second~~ accessory dwelling units on traffic flow and public safety.

(B) (i) Impose standards on ~~second~~ accessory dwelling units that include, but are not limited to, parking, height, setback, lot coverage, landscape, architectural review, maximum size of a unit,

and standards that prevent adverse impacts on any real property that is listed in the California Register of Historic Places.

(ii) Notwithstanding clause (i), a local agency may reduce or eliminate parking requirements for any accessory dwelling unit located within its jurisdiction.

(C) Provide that secondaccessory dwelling units do not exceed the allowable density for the lot upon which the secondaccessory dwelling unit is located, and that secondaccessory dwelling units are a residential use that is consistent with the existing general plan and zoning designation for the lot.

(D) Require the accessory dwelling units to comply with all of the following:

(i) The unit is not intended for sale separate from the primary residence and may be rented.

(ii) The lot is zoned for single-family or multifamily use and contains an existing, single-family dwelling.

(iii) The accessory dwelling unit is either attached to the existing dwelling or located within the living area of the existing dwelling or detached from the existing dwelling and located on the same lot as the existing dwelling.

(iv) The increased floor area of an attached accessory dwelling unit shall not exceed 50 percent of the existing living area, with a maximum increase in floor area of 1,200 square feet.

(v) The total area of floorspace for a detached accessory dwelling unit shall not exceed 1,200 square feet.

(vi) No passageway shall be required in conjunction with the construction of an accessory dwelling unit.

(vii) No setback shall be required for an existing garage that is converted to a accessory dwelling unit, and a setback of no more than five feet from the side and rear lot lines shall be required for an accessory dwelling unit that is constructed above a garage.

(viii) Local building code requirements that apply to detached dwellings, as appropriate.

(ix) Approval by the local health officer where a private sewage disposal system is being used, if required.

(x) (I) Parking requirements for accessory dwelling units shall not exceed one parking space per unit or per bedroom. These spaces may be provided as tandem parking on an existing driveway.

(II) Offstreet parking shall be permitted in setback areas in locations determined by the local agency or through tandem parking, unless specific findings are made that parking in setback areas or tandem parking is not feasible based upon specific site or regional topographical or fire and life safety conditions, or that it is not permitted anywhere else in the jurisdiction.

(III) This clause shall not apply to a unit that is described in subdivision (d).

(xi) When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit, and the local agency requires that those offstreet

parking spaces be replaced, the replacement spaces may be located in any configuration on the same lot as the accessory dwelling unit, including, but not limited to, as covered spaces, uncovered spaces, or tandem spaces, or by the use of mechanical automobile parking lifts. This clause shall not apply to a unit that is described in subdivision (d).

(2) The ordinance shall not be considered in the application of any local ordinance, policy, or program to limit residential growth.

(3) When a local agency receives its first application on or after July 1, 2003, for a permit pursuant to this subdivision, the application shall be considered ministerially without discretionary review or a hearing, notwithstanding Section 65901 or 65906 or any local ordinance regulating the issuance of variances or special use permits. ~~Nothing in this paragraph may be construed to require a local government to adopt or amend an ordinance for the creation of second units, within 120 days after receiving the application.~~ A local agency may charge a fee to reimburse it for costs that it incurs as a result of amendments to this paragraph enacted during the 2001–02 Regular Session of the Legislature, including the costs of adopting or amending any ordinance that provides for the creation of ~~second units~~an accessory dwelling unit.

~~(b) (1) When a local agency which has not adopted an ordinance governing second units in accordance with subdivision (a) or (c) receives its first application on or after July 1, 1983, for a permit pursuant to this subdivision, the local agency shall accept the application and approve or disapprove the application ministerially without discretionary review pursuant to this subdivision unless it adopts an ordinance in accordance with subdivision (a) or (c) within 120 days after receiving the application. Notwithstanding Section 65901 or 65906, every local agency shall grant a variance or special use permit for the creation of a second unit if the second unit complies with all of the following:~~

(4) An existing ordinance governing the creation of an accessory dwelling unit by a local agency or an accessory dwelling ordinance adopted by a local agency subsequent to the effective date of the act adding this paragraph shall provide an approval process that includes only ministerial provisions for the approval of accessory dwelling units and shall not include any discretionary processes, provisions, or requirements for those units, except as otherwise provided in this subdivision. In the event that a local agency has an existing accessory dwelling unit ordinance that fails to meet the requirements of this subdivision, that ordinance shall be null and void upon the effective date of the act adding this paragraph and that agency shall thereafter apply the standards established in this subdivision for the approval of accessory dwelling units, unless and until the agency adopts an ordinance that complies with this section.

~~(A) The unit is not intended for sale and may be rented.~~

~~(B) The lot is zoned for single-family or multifamily use.~~

~~(C) The lot contains an existing single-family dwelling.~~

~~(D) The second unit is either attached to the existing dwelling and located within the living area of the existing dwelling or detached from the existing dwelling and located on the same lot as the existing dwelling.~~

~~(E) The increased floor area of an attached second unit shall not exceed 30 percent of the existing living area.~~

~~(F) The total area of floorspace for a detached second unit shall not exceed 1,200 square feet.~~

~~(G) Requirements relating to height, setback, lot coverage, architectural review, site plan review, fees, charges, and other zoning requirements generally applicable to residential construction in the zone in which the property is located.~~

~~(H) Local building code requirements which apply to detached dwellings, as appropriate.~~

~~(I) Approval by the local health officer where a private sewage disposal system is being used, if required.~~

(25) No other local ordinance, policy, or regulation shall be the basis for the denial of a building permit or a use permit under this subdivision.

(36) This subdivision establishes the maximum standards that local agencies shall use to evaluate a proposed ~~second units on lots~~accessory dwelling unit on a lot zoned for residential use ~~which contain~~that contains an existing single-family dwelling. No additional standards, other than those provided in this subdivision ~~or subdivision (a)~~, shall be utilized or imposed, except that a local agency may require an applicant for a permit issued pursuant to this subdivision to be an owner-occupant or that the property be used for rentals of terms longer than 30 days.

~~(47) No changes in zoning ordinances or other ordinances or any changes in the general plan shall be required to implement this subdivision. Any~~ A local agency may amend its zoning ordinance or general plan to incorporate the policies, procedures, or other provisions applicable to the creation of ~~second units~~an accessory dwelling unit if these provisions are consistent with the limitations of this subdivision.

~~(58) A second~~An accessory dwelling unit ~~which~~that conforms to ~~the requirements of~~ this subdivision shall be deemed to be an accessory use or an accessory building and shall not be considered to exceed the allowable density for the lot upon which it is located, and shall be deemed to be a residential use ~~which~~that is consistent with the existing general plan and zoning designations for the lot. The ~~second units~~accessory dwelling unit shall not be considered in the application of any local ordinance, policy, or program to limit residential growth.

~~(c) No local agency shall adopt an ordinance which totally precludes second units within single-family or multifamily zoned areas unless the ordinance contains findings acknowledging that the ordinance may limit housing opportunities of the region and further contains findings that specific adverse impacts on the public health, safety, and welfare that would result from allowing second units within single-family and multifamily zoned areas justify adopting the ordinance.~~

(b) When a local agency that has not adopted an ordinance governing accessory dwelling units in accordance with subdivision (a) receives its first application on or after July 1, 1983, for a permit to create an accessory dwelling unit pursuant to this subdivision, the local agency shall accept the

application and approve or disapprove the application ministerially without discretionary review pursuant to subdivision (a) within 120 days after receiving the application.

(dc) A local agency may establish minimum and maximum unit size requirements for both attached and detached ~~second~~accessory dwelling units. No minimum or maximum size for a ~~second~~an accessory dwelling unit, or size based upon a percentage of the existing dwelling, shall be established by ordinance for either attached or detached dwellings ~~which~~that does not permit at least an efficiency unit to be constructed in compliance with local development standards. Accessory dwelling units shall not be required to provide fire sprinklers if they are not required for the primary residence.

(d) Notwithstanding any other law, a local agency, whether or not it has adopted an ordinance governing accessory dwelling units in accordance with subdivision (a), shall not impose parking standards for an accessory dwelling unit in any of the following instances:

(1) The accessory dwelling unit is located within one-half mile of public transit.

(2) The accessory dwelling unit is located within an architecturally and historically significant historic district.

(3) The accessory dwelling unit is part of the existing primary residence or an existing accessory structure.

(4) When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit.

(5) When there is a car share vehicle located within one block of the accessory dwelling unit.

(e) Parking requirements for second units shall not exceed one parking space per unit or per bedroom. Additional parking may be required provided that a finding is made that the additional parking requirements are directly related to the use of the second unit and are consistent with existing neighborhood standards applicable to existing dwellings. Off-street parking shall be permitted in setback areas in locations determined by the local agency or through tandem parking, unless specific findings are made that parking in setback areas or tandem parking is not feasible based upon specific site or regional topographical or fire and life safety conditions, or that it is not permitted anywhere else in the jurisdiction.

(e) Notwithstanding subdivisions (a) to (d), inclusive, a local agency shall ministerially approve an application for a building permit to create within a single-family residential zone one accessory dwelling unit per single-family lot if the unit is contained within the existing space of a single-family residence or accessory structure, has independent exterior access from the existing residence, and the side and rear setbacks are sufficient for fire safety. Accessory dwelling units shall not be required to provide fire sprinklers if they are not required for the primary residence.

(f) (1) Fees charged for the construction of ~~second~~accessory dwelling units shall be determined in accordance with Chapter 5 (commencing with Section 66000) and Chapter 7 (commencing with Section 66012).

(2) Accessory dwelling units shall not be considered new residential uses for the purposes of calculating local agency connection fees or capacity charges for utilities, including water and sewer service.

(A) For an accessory dwelling unit described in subdivision (e), a local agency shall not require the applicant to install a new or separate utility connection directly between the accessory dwelling unit and the utility or impose a related connection fee or capacity charge.

(B) For an accessory dwelling unit that is not described in subdivision (e), a local agency may require a new or separate utility connection directly between the accessory dwelling unit and the utility. Consistent with Section 66013, the connection may be subject to a connection fee or capacity charge that shall be proportionate to the burden of the proposed accessory dwelling unit, based upon either its size or the number of its plumbing fixtures, upon the water or sewer system. This fee or charge shall not exceed the reasonable cost of providing this service.

(g) This section does not limit the authority of local agencies to adopt less restrictive requirements for the creation of ~~second units~~an accessory dwelling unit.

(h) Local agencies shall submit a copy of the ~~ordinances~~ordinance adopted pursuant to subdivision (a) ~~or (e)~~ to the Department of Housing and Community Development within 60 days after adoption.

(i) As used in this section, the following terms mean:

(1) “Living area,” means the interior habitable area of a dwelling unit including basements and attics but does not include a garage or any accessory structure.

(2) “Local agency” means a city, county, or city and county, whether general law or chartered.

(3) For purposes of this section, “neighborhood” has the same meaning as set forth in Section 65589.5.

(4) “~~Second~~Accessory dwelling unit” means an attached or a detached residential dwelling unit which provides complete independent living facilities for one or more persons. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family dwelling is situated. ~~A second~~An accessory dwelling unit also includes the following:

(A) An efficiency unit, as defined in Section 17958.1 of Health and Safety Code.

(B) A manufactured home, as defined in Section 18007 of the Health and Safety Code.

(5) “Passageway” means a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the accessory dwelling unit.

(j) Nothing in this section shall be construed to supersede or in any way alter or lessen the effect or application of the California Coastal Act (Division 20 (commencing with Section 30000) of

the Public Resources Code), except that the local government shall not be required to hold public hearings for coastal development permit applications for ~~second~~accessory dwelling units.



Courtesy of Karen Chapple, UC Berkeley

California Department of Housing and
Community Development *Where Foundations Begin*

Accessory Dwelling Unit Memorandum

December 2016



Table of Contents

Understanding ADUs and Their Importance	1
Summary of Recent Changes to Accessory Dwelling Unit Laws	3
Frequently Asked Questions: Accessory Dwelling Units	7
Should an Ordinance Encourage the Development of ADUs?	7
Are Existing Ordinances Null and Void?	7
Are Local Governments Required to Adopt an Ordinance?	8
Can a Local Government Preclude ADUs?	8
Can a Local Government Apply Development Standards and Designate Areas?	8
Can a Local Government Adopt Less Restrictive Requirements?	9
Can Local Governments Establish Minimum and Maximum Unit Sizes?	9
Can ADUs Exceed General Plan and Zoning Densities?	10
How Are Fees Charged to ADUs?	11
What Utility Fee Requirements Apply to ADUs?	11
What Utility Fee Requirements Apply to Non-City and County Service Districts?	11
Do Utility Fee Requirements Apply to ADUs within Existing Space?	11
Does "Public Transit" Include within One-half Mile of a Bus Stop and Train Station?	11
Can Parking Be Required Where a Car Share is Available?	12
Is Off Street Parking Permitted in Setback Areas or through Tandem Parking?	12
Is Covered Parking Required?	12
Is Replacement Parking Required When the Parking Area for the Primary Structure is Used for an ADU?	12
Are Setbacks Required When an Existing Garage is Converted to an ADU?	12
Are ADUs Permitted in Existing Residence and Accessory Space?	13
Are Owner Occupants Required?	13
Are Fire Sprinklers Required for ADUs?	13
Is Manufactured Housing Permitted as an ADU?	14
Can an Efficiency Unit Be Smaller than 220 Square Feet?	14
Does ADU Law Apply to Charter Cities and Counties?	14
Do ADUs Count toward the Regional Housing Need Allocation?	14
Must Ordinances Be Submitted to the Department of Housing and Community Development?	15

Frequently Asked Questions: Junior Accessory Dwelling Units	16
Is There a Difference between ADU and JADU?	16
Why Adopt a JADU Ordinance?	17
Can JADUs Count towards The RHNA?	17
Can the JADU Be Sold Independent of the Primary Dwelling?	17
Are JADUs Subject to Connection and Capacity Fees?	17
Are There Requirements for Fire Separation and Fire Sprinklers?	18
Resources	19
Attachment 1: Statutory Changes (Strikeout/Underline)	19
Attachment 2: Sample ADU Ordinance	26
Attachment 3: Sample JADU Ordinance	29
Attachment 4: State Standards Checklist	32
Attachment 5: Bibliography	33

Understanding Accessory Dwelling Units and Their Importance



Courtesy of Karen Chapple, UC Berkeley

California's housing production is not keeping pace with demand. In the last decade less than half of the needed housing was built. This lack of housing is impacting affordability with average housing costs in California exceeding the rest of the nation. As affordability becomes more problematic, people drive longer distances between a home that is affordable and where they work, or double up to share space, both of which reduces quality of life and produces negative environmental impacts.

Beyond traditional market-rate construction and government subsidized production and preservation there are alternative housing models and emerging trends that can contribute to addressing home supply and affordability in California.

One such example gaining popularity are Accessory Dwelling Units (ADUs) (also referred to as second units, in-law units, or granny flats).

What is an ADU

An ADU is a secondary dwelling unit with complete independent living facilities for one or more persons and generally takes three forms:

- *Detached*: The unit is separated from the primary structure
- *Attached*: The unit is attached to the primary structure
- *Repurposed Existing Space*: Space (e.g., master bedroom) within the primary residence is converted into an independent living unit
- *Junior Accessory Dwelling Units*: Similar to repurposed space with various streamlining measures

ADUs offer benefits that address common development barriers such as affordability and environmental quality. ADUs are an affordable type of home to construct in California because they do not require paying for land, major new infrastructure, structured parking, or elevators. ADUs are built with cost-effective one- or two-story wood frame construction, which is significantly less costly than homes in new multifamily infill buildings. ADUs can provide as much living space as the new apartments and condominiums being built in new infill buildings and serve very well for couples, small families, friends, young people, and seniors.

ADUs are a different form of housing that can help California meet its diverse housing needs. Young professionals and students desire to live in areas close to jobs, amenities, and schools. The problem with high-opportunity areas is that space is limited. There is a shortage of affordable units and the units that are available can be out of reach for many people. To address the needs of individuals or small families seeking living quarters in high opportunity areas, homeowners can construct an ADU on their lot or convert an underutilized part of their home like a garage

into a junior ADU. This flexibility benefits not just people renting the space, but the homeowner as well, who can receive an extra monthly rent income.

ADUs give homeowners the flexibility to share independent living areas with family members and others, allowing seniors to age in place as they require more care and helping extended families to be near one another while maintaining privacy.

Relaxed regulations and the cost to build an ADU make it a very feasible affordable housing option. A UC Berkeley study noted that one unit of affordable housing in the Bay Area costs about \$500,000 to develop whereas an ADU can range anywhere up to \$200,000 on the expensive end in high housing cost areas.

ADUs are a critical form of infill-development that can be affordable and offer important housing choices within existing neighborhoods. ADUs are a powerful type of housing unit because they allow for different uses, and serve different populations ranging from students and young professionals to young families, people with disabilities and senior citizens. By design, ADUs are more affordable and can provide additional income to homeowners. Local governments can encourage the development of ADUs and improve access to jobs, education and services for many Californians.

Summary of Recent Changes to ADU Laws



Courtesy of Karen Chapple, UC Berkeley

The California legislature found and declared that, among other things, allowing accessory dwelling units (ADUs) in single family and multifamily zones provides additional rental housing and are an essential component in addressing housing needs in California. Over the years, ADU law has been revised to improve its effectiveness such as recent changes in 2003 to require ministerial approval. In 2017, changes to ADU laws will further reduce barriers, better streamline approval and expand capacity to accommodate the development of ADUs.

ADUs are a unique opportunity to address a variety of housing needs and provide affordable housing options for family members, friends, students, the elderly, in-home health care providers, the disabled,

and others. Further, ADUs offer an opportunity to maximize and integrate housing choices within existing neighborhoods.

Within this context, the Department has prepared this guidance to assist local governments in encouraging the development of ADUs. Please see Attachment 1 for the complete statutory changes. The following is a brief summary of the changes for each bill.

SB 1069 (Wieckowski)

S.B. 1069 (Chapter 720, Statutes of 2016) made several changes to address barriers to the development of ADUs and expanded capacity for their development. The following is a brief summary of provisions that go into effect January 1, 2017.

Parking

SB 1069 reduces parking requirements to one space per bedroom or unit. The legislation authorizes off street parking to be tandem or in setback areas unless specific findings such as fire and life safety conditions are made. SB 1069 also prohibits parking requirements if the ADU meets any of the following:

- Is within a half mile from public transit.
- Is within an architecturally and historically significant historic district.
- Is part of an existing primary residence or an existing accessory structure.
- Is in an area where on-street parking permits are required, but not offered to the occupant of the ADU.
- Is located within one block of a car share area.

Fees

SB 1069 provides that ADUs shall not be considered new residential uses for the purpose of calculating utility connection fees or capacity charges, including water and sewer service. The bill prohibits a local agency from requiring an ADU applicant to install a new or separate utility connection or impose a related connection fee or capacity charge for ADUs that are contained within an existing residence or accessory structure. For attached and detached ADUs, this fee or charge must be proportionate to the burden of the unit on the water or sewer system and may not exceed the reasonable cost of providing the service.

Fire Requirements

SB 1069 provides that fire sprinklers shall not be required in an accessory unit if they are not required in the primary residence.

ADUs within Existing Space

Local governments must ministerially approve an application to create within a single family residential zone one ADU per single family lot if the unit is:

- contained within an existing residence or accessory structure.
- has independent exterior access from the existing residence.
- has side and rear setbacks that are sufficient for fire safety.

These provisions apply within all single family residential zones and ADUs within existing space must be allowed in all of these zones. No additional parking or other development standards can be applied except for building code requirements.

No Total Prohibition

SB 1069 prohibits a local government from adopting an ordinance that precludes ADUs.

AB 2299 (Bloom)

Generally, AB 2299 (Chapter 735, Statutes of 2016) requires a local government (beginning January 1, 2017) to ministerially approve ADUs if the unit complies with certain parking requirements, the maximum allowable size of an attached ADU, and setback requirements, as follows:

- The unit is not intended for sale separate from the primary residence and may be rented.
- The lot is zoned for single-family or multifamily use and contains an existing, single-family dwelling.
- The unit is either attached to an existing dwelling or located within the living area of the existing dwelling or detached and on the same lot.
- The increased floor area of the unit does not exceed 50% of the existing living area, with a maximum increase in floor area of 1,200 square feet.
- The total area of floorspace for a detached accessory dwelling unit does not exceed 1,200 square feet.
- No passageway can be required.
- No setback can be required from an existing garage that is converted to an ADU.

- Compliance with local building code requirements.
- Approval by the local health officer where private sewage disposal system is being used.

Impact on Existing Accessory Dwelling Unit Ordinances

AB 2299 provides that any existing ADU ordinance that does not meet the bill's requirements is null and void upon the date the bill becomes effective. In such cases, a jurisdiction must approve accessory dwelling units based on Government Code Section 65852.2 until the jurisdiction adopts a compliant ordinance.

AB 2406 (Thurmond)

AB 2406 (Chapter 755, Statutes of 2016) creates more flexibility for housing options by authorizing local governments to permit junior accessory dwelling units (JADU) through an ordinance. The bill defines JADUs to be a unit that cannot exceed 500 square feet and must be completely contained within the space of an existing residential structure. In addition, the bill requires specified components for a local JADU ordinance. Adoption of a JADU ordinance is optional.

Required Components

The ordinance authorized by AB 2406 must include the following requirements:

- Limit to one JADU per residential lot zoned for single-family residences with a single-family residence already built on the lot.
- The single-family residence in which the JADU is created or JADU must be occupied by the owner of the residence.
- The owner must record a deed restriction stating that the JADU cannot be sold separately from the single-family residence and restricting the JADU to the size limitations and other requirements of the JADU ordinance.
- The JADU must be located entirely within the existing structure of the single-family residence and JADU have its own separate entrance.
- The JADU must include an efficiency kitchen which includes a sink, cooking appliance, counter surface, and storage cabinets that meet minimum building code standards. No gas or 220V circuits are allowed.
- The JADU may share a bath with the primary residence or have its own bath.

Prohibited Components

This bill prohibits a local JADU ordinance from requiring:

- Additional parking as a condition to grant a permit.
- Applying additional water, sewer and power connection fees. No connections are needed as these utilities have already been accounted for in the original permit for the home.

Fire Safety Requirements

AB 2406 clarifies that a JADU is to be considered part of the single-family residence for the purposes of fire and life protections ordinances and regulations, such as sprinklers and smoke alarms. The bill also requires life and protection ordinances that affect single-family residences to be applied uniformly to all single-family residences, regardless of the presence of a JADU.

JADUs and the RHNA

As part of the housing element portion of their general plan, local governments are required to identify sites with appropriate zoning that will accommodate projected housing needs in their regional housing need allocation (RHNA) and report on their progress pursuant to Government Code Section 65400. To credit a JADU toward the RHNA, HCD and the Department of Finance (DOF) utilize the census definition of a housing unit which is fairly flexible. Local government count units as part of reporting to DOF. JADUs meet these definitions and this bill would allow cities and counties to earn credit toward meeting their RHNA allocations by permitting residents to create less costly accessory units. See additional discussion under JADU frequently asked questions.

Frequently Asked Questions: Accessory Dwelling Units

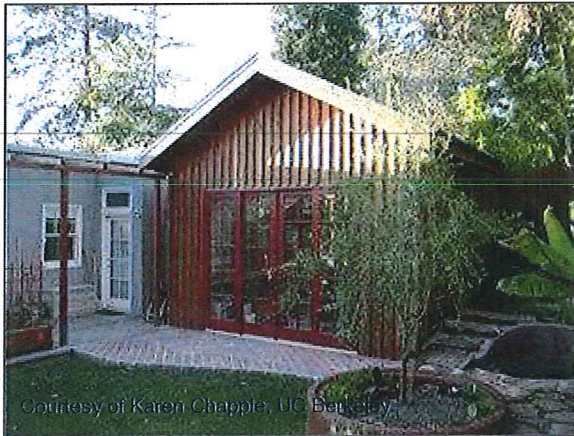
Should an Ordinance Encourage the Development of ADUs?

Yes, ADU law and recent changes intend to address barriers, streamline approval and expand potential capacity for ADUs recognizing their unique importance in addressing California's housing needs. The preparation, adoption, amendment and implementation of local ADU ordinances must be carried out consistent with Government Code Section 65852.150:

(a) The Legislature finds and declares all of the following:

- (1) Accessory dwelling units are a valuable form of housing in California.*
 - (2) Accessory dwelling units provide housing for family members, students, the elderly, in-home health care providers, the disabled, and others, at below market prices within existing neighborhoods.*
 - (3) Homeowners who create accessory dwelling units benefit from added income, and an increased sense of security.*
 - (4) Allowing accessory dwelling units in single-family or multifamily residential zones provides additional rental housing stock in California.*
 - (5) California faces a severe housing crisis.*
 - (6) The state is falling far short of meeting current and future housing demand with serious consequences for the state's economy, our ability to build green infill consistent with state greenhouse gas reduction goals, and the well-being of our citizens, particularly lower and middle-income earners.*
 - (7) Accessory dwelling units offer lower cost housing to meet the needs of existing and future residents within existing neighborhoods, while respecting architectural character.*
 - (8) Accessory dwelling units are, therefore, an essential component of California's housing supply.*
- (b) It is the intent of the Legislature that an accessory dwelling unit ordinance adopted by a local agency has the effect of providing for the creation of accessory dwelling units and that provisions in this ordinance relating to matters including unit size, parking, fees, and other requirements, are not so arbitrary, excessive, or burdensome so as to unreasonably restrict the ability of homeowners to create accessory dwelling units in zones in which they are authorized by local ordinance.*

Are Existing Ordinances Null and Void?



Yes, any local ordinance adopted prior to January 1, 2017 that is not in compliance with the changes to ADU law will be null and void. Until an ordinance is adopted, local governments must apply “state standards” (See Attachment 4 for State Standards checklist). In the absence of a local ordinance complying with ADU law, local review must be limited to “state standards” and cannot include additional requirements such as those in an existing ordinance.

Are Local Governments Required to Adopt an Ordinance?

No, a local government **is not required** to adopt an ordinance. ADUs built within a jurisdiction that lacks a local ordinance must comply with state standards (See Attachment 4). Adopting an ordinance can occur through different forms such as a new ordinance, amendment to an existing ordinance, separate section or special regulations within the zoning code or integrated into the zoning code by district. However, the ordinance should be established legislatively through a public process and meeting and not through internal administrative actions such as memos or zoning interpretations.

Can a Local Government Preclude ADUs?

No local government cannot preclude ADUs.

Can a Local Government Apply Development Standards and Designate Areas?

Yes, local governments may apply development standards and may designate where ADUs are permitted (GC Sections 65852.2(a)(1)(A) and (B)). However, ADUs within existing structures must be allowed in all single family residential zones.

For ADUs that require an addition or a new accessory structure, development standards such as parking, height, lot coverage, lot size and maximum unit size can be established with certain limitations. ADUs can be avoided or allowed through an ancillary and separate discretionary process in areas with health and safety risks such as high fire hazard areas. However, standards and allowable areas must not be designed or applied in a manner that burdens the development of ADUs and should maximize the potential for ADU development. Designating areas where ADUs are allowed should be approached primarily on health and safety issues including water, sewer, traffic flow and public safety. Utilizing approaches such as restrictive overlays, limiting ADUs to larger lot sizes, burdensome lot coverage and setbacks and particularly concentration or distance requirements (e.g., no less than 500 feet between ADUs) may unreasonably restrict the ability of the homeowners to create ADUs, contrary to the intent of the Legislature.

Requiring large minimum lot sizes and not allowing smaller lot sizes for ADUs can severely restrict their potential development. For example, large minimum lot sizes for ADUs may constrict capacity throughout most of the community. Minimum lot sizes cannot be applied to ADUs within existing structures and could be considered relative to health and safety concerns such as areas on septic systems. While larger lot sizes might be targeted for various reasons such as ease of compatibility, many tools are available (e.g., maximum unit size, maximum lot coverage, minimum setbacks, architectural and landscape requirements) that allows ADUs to fit well within the built environment.

Can a Local Government Adopt Less Restrictive Requirements?

Yes, ADU law is a minimum requirement and its purpose is to encourage the development of ADUs. Local governments can take a variety of actions beyond the statute that promote ADUs such as reductions in fees, less restrictive parking or unit sizes or amending general plan policies.

Santa Cruz has confronted a shortage of housing for many years, considering its growth in population from incoming students at UC Santa Cruz and its proximity to Silicon Valley. The city promoted the development of ADUs as critical infill-housing opportunity through various strategies such as creating a manual to promote ADUs. The manual showcases prototypes of ADUs and outlines city zoning laws and requirements to make it more convenient for homeowners to get information. The City found that homeowners will take time to develop an ADU only if information is easy to find, the process is simple, and there is sufficient guidance on what options they have in regards to design and planning.

The city set the minimum lot size requirement at 4,500 sq. ft. to develop an ADU in order to encourage more homes to build an ADU. This allowed for a majority of single-family homes in Santa Cruz to develop an ADU. For more information, see <http://www.cityofsantacruz.com/departments/planning-and-community-development/programs/accessory-dwelling-unit-development-program>.

Can Local Governments Establish Minimum and Maximum Unit Sizes?

Yes, a local government may establish minimum and maximum unit sizes (GC Section 65852.2(c)). However, like all development standards (e.g., height, lot coverage, lot size), unit sizes should not burden the development of ADUs. For example, setting a minimum unit size that substantially increases costs or a maximum unit size that unreasonably restricts opportunities would be inconsistent with the intent of the statute. Typical maximum unit sizes range from 800 square feet to 1,200 square feet. Minimum unit size must at least allow for an efficiency unit as defined in Health and Safety Code Section 17958.1.

ADU law requires local government approval if meeting various requirements (GC Section 65852.2(a)(1)(D)), including unit size requirements. Specifically, attached ADUs shall not exceed 50 percent of the existing living area or 1,200 square feet and detached ADUs shall not exceed 1,200 square feet. A local government may choose a maximum unit size less than 1,200 square feet as long as the requirement is not burdensome on the creation of ADUs.

Can ADUs Exceed General Plan and Zoning Densities?

An ADU is an accessory use for the purposes of calculating allowable density under the general plan and zoning. For example, if a zoning district allows one unit per 7,500 square feet, then an ADU would not be counted as an additional unit. Minimum lot sizes must not be doubled (e.g., 15,000 square feet) to account for an ADU. Further, local governments could elect to allow more than one ADU on a lot.

New developments can increase the total number of affordable units in their project plans by integrating ADUs. Aside from increasing the total number of affordable units, integrating ADUs also promotes housing choices within a development. One such example is the Cannery project in Davis, CA. The Cannery project includes 547 residential units with up to 60 integrated ADUs. ADUs within the Cannery blend in with surrounding architecture, maintaining compatibility with neighborhoods and enhancing community character. ADUs are constructed at the same time as the primary single-family unit to ensure the affordable rental unit is available in the housing supply concurrent with the availability of market rate housing.

How Are Fees Charged to ADUs?

All impact fees, including water, sewer, park and traffic fees must be charged in accordance with the Fee Mitigation Act, which requires fees to be proportional to the actual impact (e.g., significantly less than a single family home).

Fees on ADUs, must proportionately account for impact on services based on the size of the ADU or number of plumbing fixtures. For example, a 700 square foot new ADU with one bathroom that results in less landscaping should be charged much less than a 2,000 square foot home with three bathrooms and an entirely new landscaped parcel which must be irrigated. Fees for ADUs should be significantly less and should account for a lesser impact such as lower sewer or traffic impacts.

What Utility Fee Requirements Apply to ADUs?

Cities and counties cannot consider ADUs as new residential uses when calculating connection fees and capacity charges.

Where ADUs are being created within an existing structure (primary or accessory), the city or county cannot require a new or separate utility connections for the ADU and cannot charge any connection fee or capacity charge.

For other ADUs, a local agency may require separate utility connections between the primary dwelling and the ADU, but any connection fee or capacity charge must be proportionate to the impact of the ADU based on either its size or the number of plumbing fixtures.

What Utility Fee Requirements Apply to Non-City and County Service Districts?

All local agencies must charge impact fees in accordance with the Mitigation Fee Act (commencing with Government Code Section 66000), including in particular Section 66013, which requires the connection fees and capacity charges to be proportionate to the burden posed by the ADU. Special districts and non-city and county service districts must account for the lesser impact related to an ADU and should base fees on unit size or number of plumbing fixtures. Providers should consider a proportionate or sliding scale fee structures that address the smaller size and lesser impact of ADUs (e.g., fees per square foot or fees per fixture). Fee waivers or deferrals could be considered to better promote the development of ADUs.

Do Utility Fee Requirements Apply to ADUs within Existing Space?

No, where ADUs are being created within an existing structure (primary or accessory), new or separate utility connections and fees (connection and capacity) must not be required.

Does "Public Transit" Include within One-half Mile of a Bus Stop and Train Station?

Yes, "public transit" may include a bus stop, train station and paratransit if appropriate for the applicant. "Public transit" includes areas where transit is available and can be considered regardless of tighter headways (e.g., 15 minute intervals). Local governments could consider a broader definition of "public transit" such as distance to a bus route.

Can Parking Be Required Where a Car Share Is Available?

No, ADU law does not allow parking to be required when there is a car share located within a block of the ADU. A car share location includes a designated pick up and drop off location. Local governments can measure a block from a pick up and drop off location and can decide to adopt broader distance requirements such as two to three blocks.

Is Off Street Parking Permitted in Setback Areas or through Tandem Parking?

Yes, ADU law deliberately reduces parking requirements. Local governments may make specific findings that tandem parking and parking in setbacks are infeasible based on specific site, regional topographical or fire and life safety conditions or that tandem parking or parking in setbacks is not permitted anywhere else in the jurisdiction. However, these determinations should be applied in a manner that does not unnecessarily restrict the creation of ADUs.

Local governments must provide reasonable accommodation to persons with disabilities to promote equal access housing and comply with fair housing laws and housing element law. The reasonable accommodation procedure must provide exception to zoning and land use regulations which includes an ADU ordinance. Potential exceptions are not limited and may include development standards such as setbacks and parking requirements and permitted uses that further the housing opportunities of individuals with disabilities.

Is Covered Parking Required?

No, off street parking must be permitted through tandem parking on an existing driveway, unless specific findings are made.

Is Replacement Parking Required When the Parking Area for the Primary Structure Is Used for an ADU?

Yes, but only if the local government requires off-street parking to be replaced in which case flexible arrangements such as tandem, including existing driveways and uncovered parking are allowed. Local governments have an opportunity to be flexible and promote ADUs that are being created on existing parking space and can consider not requiring replacement parking.

Are Setbacks Required When an Existing Garage Is Converted to an ADU?

No, setbacks must not be required when a garage is converted or when existing space (e.g., game room or office) above a garage is converted. Rear and side yard setbacks of no more than five feet are required when new space is added above a garage for an ADU. In this case, the setbacks only apply to the added space above the garage, not the existing garage and the ADU can be constructed wholly or partly above the garage, including extending beyond the garage walls.

Also, when a garage, carport or covered parking structure is demolished or where the parking area ceases to exist so an ADU can be created, the replacement parking must be allowed in any "configuration" on the lot, "...including, but not limited to, covered spaces, uncovered spaces, or tandem spaces, or...." Configuration can be applied in a flexible manner to not burden the creation of ADUs. For example, spatial configurations like tandem on existing driveways in setback areas or not requiring excessive distances from the street would be appropriate.

Are ADUs Permitted in Existing Residence or Accessory Space?

Yes, ADUs located in single family residential zones and existing space of a single family residence or accessory structure must be approved regardless of zoning standards (Section 65852.2(a)(1)(B)) for ADUs, including locational requirements (Section 65852.2(a)(1)(A)), subject to usual non-appealable ministerial building permit requirements. For example, ADUs in existing space does not necessitate a zoning clearance and must not be limited to certain zones or areas or subject to height, lot size, lot coverage, unit size, architectural review, landscape or parking requirements. Simply, where a single family residence or accessory structure exists in any single family residential zone, so can an ADU. The purpose is to streamline and expand potential for ADUs where impact is minimal and the existing footprint is not being increased.

Zoning requirements are not a basis for denying a ministerial building permit for an ADU, including non-conforming lots or structures. The phrase, "within the existing space" includes areas within a primary home or within an attached or detached accessory structure such as a garage, a carriage house, a pool house, a rear yard studio and similar enclosed structures.

Are Owner Occupants Required?

No, however, a local government can require an applicant to be an owner occupant. The owner may reside in the primary or accessory structure. Local governments can also require the ADU to not be used for short term rentals (terms lesser than 30 days). Both owner occupant use and prohibition on short term rentals can be required on the same property. Local agencies which impose this requirement should require recordation of a deed restriction regarding owner occupancy to comply with GC Section 27281.5

Are Fire Sprinklers Required for ADUs?

Depends, ADUs shall not be required to provide fire sprinklers if they are not or were not required of the primary residence. However, sprinklers can be required for an ADU if required in the primary structure. For example, if the primary residence has sprinklers as a result of an existing ordinance, then sprinklers could be required in the ADU. Alternative methods for fire protection could be provided.

If the ADU is detached from the main structure or new space above a detached garage, applicants can be encouraged to contact the local fire jurisdiction for information regarding fire sprinklers. Since ADUs are a unique opportunity to address a variety of housing needs and provide affordable housing options for family members, students, the elderly, in-home health care providers, the disabled, and others, the fire departments want to ensure the safety of these populations as well as the safety of those living in the primary structure. Fire Departments can help educate property owners on the benefits of sprinklers, potential resources and how they can be installed cost effectively. For example, insurance rates are typically 5 to 10 percent lower where the unit is sprinklered. Finally, other methods exist to provide additional fire protection. Some options may include additional exits, emergency escape and rescue openings, 1 hour or greater fire-rated assemblies, roofing materials and setbacks from property lines or other structures.

Is Manufactured Housing Permitted as an ADU?

Yes, an ADU is any residential dwelling unit with independent facilities and permanent provisions for living, sleeping, eating, cooking and sanitation. An ADU includes an efficiency unit (Health and Safety Code Section 17958.1) and a manufactured home (Health and Safety Code Section 18007).

Health and Safety Code Section 18007(a) “**Manufactured home**,” for the purposes of this part, means a structure that was constructed on or after June 15, 1976, is transportable in one or more sections, is eight body feet or more in width, or 40 body feet or more in length, in the traveling mode, or, when erected on site, is 320 or more square feet, is built on a permanent chassis and designed to be used as a single-family dwelling with or without a foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein. “Manufactured home” includes any structure that meets all the requirements of this paragraph except the size requirements and with respect to which the manufacturer voluntarily files a certification and complies with the standards established under the National Manufactured Housing Construction and Safety Act of 1974 (42 U.S.C., Sec. 5401, and following).

Can an Efficiency Unit Be Smaller than 220 Square Feet?

Yes, an efficiency unit for occupancy by no more than two persons, by statute (Health and Safety Code Section 17958.1), can have a minimum floor area of 150 square feet and can also have partial kitchen or bathroom facilities, as specified by ordinance or can have the same meaning specified in the Uniform Building Code, referenced in the Title 24 of the California Code of Regulations.

The 2015 International Residential Code adopted by reference into the 2016 California Residential Code (CRC) allows residential dwelling units to be built considerably smaller than an Efficiency Dwelling Unit (EDU). Prior to this code change an EDU was required to have a minimum floor area not less than 220 sq. ft unless modified by local ordinance in accordance with the California Health and Safety Code which could allow an EDU to be built no less than 150 sq. ft. For more information, see HCD’s Information Bulletin at <http://www.hcd.ca.gov/codes/manufactured-housing/docs/ib2016-06.pdf>.

Does ADU Law Apply to Charter Cities and Counties?

Yes. ADU law explicitly applies to “local agencies” which are defined as a city, county, or city and county whether general law or chartered (Section 65852.2(i)(2)).

Do ADUs Count toward the Regional Housing Need Allocation?

Yes, local governments may report ADUs as progress toward Regional Housing Need Allocation pursuant to Government Code Section 65400 based on the actual or anticipated affordability. See below frequently asked questions for JADUs for additional discussion.

Must ADU Ordinances Be Submitted to the Department of Housing and Community Development?

Yes, ADU ordinances must be submitted to the State Department of Housing and Community Development within 60 days after adoption, including amendments to existing ordinances. However, upon submittal, the ordinance is not subject to a Department review and findings process similar to housing element law (GC Section 65585)

Frequently Asked Questions: Junior Accessory Dwelling Units

Is There a Difference between ADU and JADU?



Courtesy of Lilypad Homes and Photo Credit to Jocelyn Knight

Yes, AB 2406 added Government Code Section 65852.22, providing a unique option for Junior ADUs. The bill allows local governments to adopt ordinances for JADUs, which are no more than 500 square feet and are typically bedrooms in a single-family home that have an entrance into the unit from the main home and an entrance to the outside from the JADU. The JADU must have cooking facilities, including a sink, but is not required to have a private bathroom. Current law does not prohibit local governments from adopting an ordinance for a JADU, and this bill explicitly allows, not requires, a local agency to do so. If the ordinance requires a permit, the local agency shall not require additional parking or charge a fee for a water or sewer connection as a condition of granting a permit for a JADU. For more information, see below.

ADUs and JADUs

REQUIREMENTS		ADU	JADU
Maximum Unit Size	Yes, generally up to 1,200 Square Feet or 50% of living area	Yes, 500 Square Foot Maximum	Yes, 500 Square Foot Maximum
Kitchen	Yes	Yes	Yes
Bathroom	Yes	No, Common Sanitation is Allowed	No, Common Sanitation is Allowed
Separate Entrance	Depends	Yes	Yes
Parking	Depends, Parking May Be Eliminated and Cannot Be Required Under Specified Conditions	No, Parking Cannot Be Required	No, Parking Cannot Be Required
Owner Occupancy	Depends, Owner Occupancy May Be Required	Yes, Owner Occupancy Is Required	Yes, Owner Occupancy Is Required
Ministerial Approval Process	Yes	Yes	Yes
Prohibition on Sale of ADU	Yes	Yes	Yes

Why Adopt a JADU Ordinance?

JADUs offer the simplest and most affordable housing option. They bridge the gap between a roommate and a tenant by offering an interior connection between the unit and main living area. The doors between the two spaces can be secured from both sides, allowing them to be easily privatized or incorporated back into the main living area. These units share central systems, require no fire separation, and have a basic kitchen, utilizing small plug-in appliances, reducing development costs. This provides flexibility and an insurance policy in homes in case additional income or housing is needed. They present no additional stress on utility services or infrastructure because they simply repurpose spare bedrooms that do not expand the homes planned occupancy. No additional address is required on the property because an interior connection remains. By adopting a JADU ordinance, local governments can offer homeowners additional options to take advantage of underutilized space and better address its housing needs.

Can JADUs Count towards the RHNA?

Yes, as part of the housing element portion of their general plan, local governments are required to identify sites with appropriate zoning that will accommodate projected housing needs in their regional housing need allocation (RHNA) and report on their progress pursuant to Government Code Section 65400. To credit a unit toward the RHNA, HCD and the Department of Finance (DOF) utilize the census definition of a housing unit. Generally, a JADU, including with shared sanitation facilities, that meets the census definition and is reported to the Department of Finance as part of the DOF annual City and County Housing Unit Change Survey can be credited toward the RHNA based on the appropriate income level. Local governments can track actual or anticipated affordability to assure the JADU is counted to the appropriate income category. For example, some local governments request and track information such as anticipated affordability as part of the building permit application.

A housing unit is a house, an apartment, a mobile home or trailer, a group of rooms, or a single room that is occupied, or, if vacant, is intended for occupancy as separate living quarters. Separate living quarters are those in which the occupants live separately from any other persons in the building and which have direct access from the outside of the building or through a common hall.

Can the JADU Be Sold Independent of the Primary Dwelling?

No, the JADU cannot be sold separate from the primary dwelling.

Are JADUs Subject to Connection and Capacity Fees?

No, JADUs shall not be considered a separate or new dwelling unit for the purposes of fees and as a result should not be charged a fee for providing water, sewer or power, including a connection fee. These requirements apply to all providers of water, sewer and power, including non-municipal providers.

Local governments may adopt requirements for fees related to parking, other service or connection for water, sewer or power, however, these requirements must be uniform for all single family residences and JADUs are not considered a new or separate unit.

Are There Requirements for Fire Separation and Fire Sprinklers?

Yes, a local government may adopt requirements related to fire and life protection requirements. However, a JADU shall not be considered a new or separate unit. In other words, if the primary unit is not subject to fire or life protection requirements, then the JADU must be treated the same.

Resources



Courtesy of Karen Chapple, UC Berkeley

Attachment 1: Statutory Changes (Strikeout/Underline)

Government Code Section 65852.2

(a) (1) ~~Any A~~ local agency may, by ordinance, provide for the creation of ~~second-accessory dwelling~~ units in single-family and multifamily residential zones. The ordinance may ~~shall~~ do any ~~all~~ of the following:

(A) Designate areas within the jurisdiction of the local agency where ~~second-accessory dwelling~~ units may be permitted. The designation of areas may be based on criteria, that may include, but are not limited to, the adequacy of water and sewer services and the impact of ~~second-accessory dwelling~~ units on traffic flow. flow and public safety.

(B) (i) Impose standards on ~~second-accessory dwelling~~ units that include, but are not limited to, parking, height, setback, lot coverage, landscape, architectural review, maximum size of a unit, and standards that prevent adverse impacts on any real property that is listed in the California Register of Historic Places.

(ii) Notwithstanding clause (i), a local agency may reduce or eliminate parking requirements for any accessory dwelling unit located within its jurisdiction.

(C) Provide that ~~second-accessory dwelling~~ units do not exceed the allowable density for the lot upon which the ~~second-accessory dwelling~~ unit is located, and that ~~second-accessory dwelling~~ units are a residential use that is consistent with the existing general plan and zoning designation for the lot.

(D) Require the accessory dwelling units to comply with all of the following:

(i) The unit is not intended for sale separate from the primary residence and may be rented.

(ii) The lot is zoned for single-family or multifamily use and contains an existing, single-family dwelling.

(iii) The accessory dwelling unit is either attached to the existing dwelling or located within the living area of the existing dwelling or detached from the existing dwelling and located on the same lot as the existing dwelling.

(iv) The increased floor area of an attached accessory dwelling unit shall not exceed 50 percent of the existing living area, with a maximum increase in floor area of 1,200 square feet.

(v) The total area of floorspace for a detached accessory dwelling unit shall not exceed 1,200 square feet.

(vi) No passageway shall be required in conjunction with the construction of an accessory dwelling unit.

(vii) No setback shall be required for an existing garage that is converted to a accessory dwelling unit, and a setback of no more than five feet from the side and rear lot lines shall be required for an accessory dwelling unit that is constructed above a garage.

(viii) Local building code requirements that apply to detached dwellings, as appropriate.

(ix) Approval by the local health officer where a private sewage disposal system is being used, if required.

(x) (I) Parking requirements for accessory dwelling units shall not exceed one parking space per unit or per bedroom. These spaces may be provided as tandem parking on an existing driveway.

(II) Offstreet parking shall be permitted in setback areas in locations determined by the local agency or through tandem parking, unless specific findings are made that parking in setback areas or tandem parking is not feasible based upon specific site or regional topographical or fire and life safety conditions, or that it is not permitted anywhere else in the jurisdiction.

(III) This clause shall not apply to a unit that is described in subdivision (d).

(xi) When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit, and the local agency requires that those offstreet parking spaces be replaced, the replacement spaces may be located in any configuration on the same lot as the accessory dwelling unit, including, but not limited to, as covered spaces, uncovered spaces, or tandem spaces, or by the use of mechanical automobile parking lifts. This clause shall not apply to a unit that is described in subdivision (d).

(2) The ordinance shall not be considered in the application of any local ordinance, policy, or program to limit residential growth.

(3) When a local agency receives its first application on or after July 1, 2003, for a permit pursuant to this subdivision, the application shall be considered ministerially without discretionary review or a hearing, notwithstanding Section 65901 or 65906 or any local ordinance regulating the issuance of variances or special use permits. ~~Nothing in this paragraph may be construed to require a local government to adopt or amend an ordinance for the creation of ADUs.~~ permits, within 120 days after receiving the application. A local agency may charge a fee to reimburse it for costs that it incurs as a result of amendments to this paragraph enacted during the 2001–02 Regular Session of the Legislature, including the costs of adopting or amending any ordinance that provides for the creation of ADUs. an accessory dwelling unit.

~~(b) (4) (1) An~~ When existing ordinance governing the creation of an accessory dwelling unit by a local agency which has not adopted an ordinance governing ADUs in accordance with subdivision (a) or (c) receives its first application on or after July 1, 1983, for a permit pursuant to this subdivision, the local agency shall accept the application and approve or disapprove the application ministerially without discretionary review pursuant to this subdivision unless it or an accessory dwelling ordinance adopted by a local agency subsequent to the effective date of the act adding this paragraph shall provide an approval process that includes only ministerial provisions for the approval of accessory dwelling units and shall not include any discretionary processes, provisions, or requirements for those units, except as otherwise provided in this subdivision. In the event that a local agency has an existing accessory dwelling unit ordinance that fails to meet the requirements of this subdivision, that ordinance shall be null and void upon the effective date of the act adding this paragraph and that agency shall thereafter apply the standards established in this subdivision for the approval of accessory dwelling units, unless and until the agency adopts an ordinance in accordance with subdivision (a) or (c) within 120 days after receiving the application. Notwithstanding Section 65901 or 65906, every local agency shall grant a variance or special use permit for the creation of a ADU if the ADU complies with all of the following: that complies with this section.

~~(A) The unit is not intended for sale and may be rented.~~

~~(B) The lot is zoned for single-family or multifamily use.~~

~~(C) The lot contains an existing single-family dwelling.~~

~~(D) The ADU is either attached to the existing dwelling and located within the living area of the existing dwelling or detached from the existing dwelling and located on the same lot as the existing dwelling.~~

~~(E) The increased floor area of an attached ADU shall not exceed 30 percent of the existing living area.~~

~~(F) The total area of floorspace for a detached ADU shall not exceed 1,200 square feet.~~

~~(G) Requirements relating to height, setback, lot coverage, architectural review, site plan review, fees, charges, and other zoning requirements generally applicable to residential construction in the zone in which the property is located.~~

~~(H) Local building code requirements which apply to detached dwellings, as appropriate.~~

~~(I) Approval by the local health officer where a private sewage disposal system is being used, if required.~~

~~(2) (5)~~ No other local ordinance, policy, or regulation shall be the basis for the denial of a building permit or a use permit under this subdivision.

~~(3) (6)~~ This subdivision establishes the maximum standards that local agencies shall use to evaluate proposed ADUs on lots a proposed accessory dwelling unit on a lot zoned for residential use which contain ~~that contains~~ an existing single-family dwelling. No additional standards, other than those provided in this subdivision or subdivision ~~(a), subdivision~~, shall be utilized or imposed, except that a local agency may require an applicant for a permit issued pursuant to this subdivision to be an owner-occupant. owner-occupant or that the property be used for rentals of terms longer than 30 days.

~~(4) (7)~~ No changes in zoning ordinances or other ordinances or any changes in the general plan shall be required to implement this subdivision. Any ~~A~~ local agency may amend its zoning ordinance or general plan to incorporate the policies, procedures, or other provisions applicable to the creation of ADUs an accessory dwelling unit if these provisions are consistent with the limitations of this subdivision.

~~(5) (8)~~ A ADU which conforms to the requirements of An accessory dwelling unit that conforms to this subdivision shall ~~be deemed to be an accessory use or an accessory building and shall~~ not be considered to exceed the allowable density for the lot upon which it is located, and shall be deemed to be a residential use ~~which that is~~ consistent with the existing general plan and zoning designations for the lot. The ADUs accessory dwelling unit shall not be considered in the application of any local ordinance, policy, or program to limit residential growth.

~~(c) (b)~~ No When a local agency shall adopt an ordinance which totally precludes ADUs within single-family or multifamily-zoned areas unless the ordinance contains findings acknowledging that the ordinance may limit housing opportunities of the region and further contains findings that specific adverse impacts on the public health, safety, and welfare that would result from allowing ADUs within single-family and multifamily-zoned areas justify adopting the ordinance. that has not adopted an ordinance governing accessory dwelling units in accordance with subdivision (a) receives its first application on or after July 1, 1983, for a permit to create an accessory dwelling unit pursuant to this subdivision, the local agency shall accept the application and approve or disapprove the application ministerially without discretionary review pursuant to subdivision (a) within 120 days after receiving the application.

~~(d) (c)~~ A local agency may establish minimum and maximum unit size requirements for both attached and detached ~~second-accessory dwelling~~ units. No minimum or maximum size for a ~~second-an accessory dwelling~~ unit, or size based upon a percentage of the existing dwelling, shall be established by ordinance for either attached or detached dwellings which ~~that~~ does not permit at least an efficiency unit to be constructed in compliance with local development standards. Accessory dwelling units shall not be required to provide fire sprinklers if they are not required for the primary residence.

(d) Notwithstanding any other law, a local agency, whether or not it has adopted an ordinance governing accessory dwelling units in accordance with subdivision (a), shall not impose parking standards for an accessory dwelling unit in any of the following instances:

(1) The accessory dwelling unit is located within one-half mile of public transit.

(2) The accessory dwelling unit is located within an architecturally and historically significant historic district.

(3) The accessory dwelling unit is part of the existing primary residence or an existing accessory structure.

(4) When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit.

(5) When there is a car share vehicle located within one block of the accessory dwelling unit.

~~(e)~~ Parking requirements for ADUs shall not exceed one parking space per unit or per bedroom. Additional parking may be required provided that a finding is made that the additional parking requirements are directly related to the

use of the ADU and are consistent with existing neighborhood standards applicable to existing dwellings. Off-street parking shall be permitted in setback areas in locations determined by the local agency or through tandem parking, unless specific findings are made that parking in setback areas or tandem parking is not feasible based upon specific site or regional topographical or fire and life safety conditions, or that it is not permitted anywhere else in the jurisdiction. Notwithstanding subdivisions (a) to (d), inclusive, a local agency shall ministerially approve an application for a building permit to create within a single-family residential zone one accessory dwelling unit per single-family lot if the unit is contained within the existing space of a single-family residence or accessory structure, has independent exterior access from the existing residence, and the side and rear setbacks are sufficient for fire safety. Accessory dwelling units shall not be required to provide fire sprinklers if they are not required for the primary residence.

(f) (1) Fees charged for the construction of second-accessory dwelling units shall be determined in accordance with Chapter 5 (commencing with Section 66000), 66000 and Chapter 7 (commencing with Section 66012).

(2) Accessory dwelling units shall not be considered new residential uses for the purposes of calculating local agency connection fees or capacity charges for utilities, including water and sewer service.

(A) For an accessory dwelling unit described in subdivision (e), a local agency shall not require the applicant to install a new or separate utility connection directly between the accessory dwelling unit and the utility or impose a related connection fee or capacity charge.

(B) For an accessory dwelling unit that is not described in subdivision (e), a local agency may require a new or separate utility connection directly between the accessory dwelling unit and the utility. Consistent with Section 66013, the connection may be subject to a connection fee or capacity charge that shall be proportionate to the burden of the proposed accessory dwelling unit, based upon either its size or the number of its plumbing fixtures, upon the water or sewer system. This fee or charge shall not exceed the reasonable cost of providing this service.

(g) This section does not limit the authority of local agencies to adopt less restrictive requirements for the creation of ADUs. an accessory dwelling unit.

(h) Local agencies shall submit a copy of the ordinances ordinance adopted pursuant to subdivision (a) or (e) to the Department of Housing and Community Development within 60 days after adoption.

(i) As used in this section, the following terms mean:

(1) "Living area," area means the interior habitable area of a dwelling unit including basements and attics but does not include a garage or any accessory structure.

(2) "Local agency" means a city, county, or city and county, whether general law or chartered.

(3) For purposes of this section, "neighborhood" has the same meaning as set forth in Section 65589.5.

(4) "~~Second~~-Accessory dwelling unit" means an attached or a detached residential dwelling unit which provides complete independent living facilities for one or more persons. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family dwelling is situated. A ~~second~~ An accessory dwelling unit also includes the following:

(A) An efficiency unit, as defined in Section 17958.1 of Health and Safety Code.

(B) A manufactured home, as defined in Section 18007 of the Health and Safety Code.

(5) "Passageway" means a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the accessory dwelling unit.

(j) Nothing in this section shall be construed to supersede or in any way alter or lessen the effect or application of the California Coastal Act (Division 20 (commencing with Section 30000) of the Public Resources Code), except that the local government shall not be required to hold public hearings for coastal development permit applications for ~~second-accessory dwelling~~ units.

Government Code Section 65852.22.

(a) Notwithstanding Section 65852.2, a local agency may, by ordinance, provide for the creation of junior accessory dwelling units in single-family residential zones. The ordinance may require a permit to be obtained for the creation of a junior accessory dwelling unit, and shall do all of the following:

(1) Limit the number of junior accessory dwelling units to one per residential lot zoned for single-family residences with a single-family residence already built on the lot.

(2) Require owner-occupancy in the single-family residence in which the junior accessory dwelling unit will be permitted. The owner may reside in either the remaining portion of the structure or the newly created junior accessory dwelling unit. Owner-occupancy shall not be required if the owner is another governmental agency, land trust, or housing organization.

(3) Require the recordation of a deed restriction, which shall run with the land, shall be filed with the permitting agency, and shall include both of the following:

(A) A prohibition on the sale of the junior accessory dwelling unit separate from the sale of the single-family residence, including a statement that the deed restriction may be enforced against future purchasers.

(B) A restriction on the size and attributes of the junior accessory dwelling unit that conforms with this section.

(4) Require a permitted junior accessory dwelling unit to be constructed within the existing walls of the structure, and require the inclusion of an existing bedroom.

(5) Require a permitted junior accessory dwelling to include a separate entrance from the main entrance to the structure, with an interior entry to the main living area. A permitted junior accessory dwelling may include a second interior doorway for sound attenuation.

(6) Require the permitted junior accessory dwelling unit to include an efficiency kitchen, which shall include all of the following:

(A) A sink with a maximum waste line diameter of 1.5 inches.

(B) A cooking facility with appliances that do not require electrical service greater than 120 volts, or natural or propane gas.

(C) A food preparation counter and storage cabinets that are of reasonable size in relation to the size of the junior accessory dwelling unit.

(b) (1) An ordinance shall not require additional parking as a condition to grant a permit.

(2) This subdivision shall not be interpreted to prohibit the requirement of an inspection, including the imposition of a fee for that inspection, to determine whether the junior accessory dwelling unit is in compliance with applicable building standards.

(c) An application for a permit pursuant to this section shall, notwithstanding Section 65901 or 65906 or any local ordinance regulating the issuance of variances or special use permits, be considered ministerially, without discretionary review or a hearing. A permit shall be issued within 120 days of submission of an application for a

permit pursuant to this section. A local agency may charge a fee to reimburse the local agency for costs incurred in connection with the issuance of a permit pursuant to this section.

(d) For the purposes of any fire or life protection ordinance or regulation, a junior accessory dwelling unit shall not be considered a separate or new dwelling unit. This section shall not be construed to prohibit a city, county, city and county, or other local public entity from adopting an ordinance or regulation relating to fire and life protection requirements within a single-family residence that contains a junior accessory dwelling unit so long as the ordinance or regulation applies uniformly to all single-family residences within the zone regardless of whether the single-family residence includes a junior accessory dwelling unit or not.

(e) For the purposes of providing service for water, sewer, or power, including a connection fee, a junior accessory dwelling unit shall not be considered a separate or new dwelling unit.

(f) This section shall not be construed to prohibit a local agency from adopting an ordinance or regulation, related to parking or a service or a connection fee for water, sewer, or power, that applies to a single-family residence that contains a junior accessory dwelling unit, so long as that ordinance or regulation applies uniformly to all single-family residences regardless of whether the single-family residence includes a junior accessory dwelling unit.

(g) For purposes of this section, the following terms have the following meanings:

(1) "Junior accessory dwelling unit" means a unit that is no more than 500 square feet in size and contained entirely within an existing single-family structure. A junior accessory dwelling unit may include separate sanitation facilities, or may share sanitation facilities with the existing structure.

(2) "Local agency" means a city, county, or city and county, whether general law or chartered.

Attachment 2: Sample ADU Ordinance

Section XXX1XXX: Purpose

This Chapter provides for accessory dwelling units on lots developed or proposed to be developed with single-family dwellings. Such accessory dwellings contribute needed housing to the community's housing stock. Thus, accessory dwelling units are a residential use which is consistent with the General Plan objectives and zoning regulations and which enhances housing opportunities, including near transit on single family lots.

Section XXX2XXX: Applicability

The provisions of this Chapter apply to all lots that are occupied with a single family dwelling unit and zoned residential. Accessory dwelling units do exceed the allowable density for the lot upon which the accessory dwelling unit is located, and are a residential use that is consistent with the existing general plan and zoning designation for the lot.

Section XXX3XXX: Development Standards

Accessory Structures within Existing Space

An accessory dwelling unit within an existing space including the primary structure, attached or detached garage or other accessory structure shall be permitted ministerially with a building permit regardless of all other standards within the Chapter if complying with:

1. Building and safety codes
2. Independent exterior access from the existing residence
3. Sufficient side and rear setbacks for fire safety.

Accessory Structures (Attached and Detached)

General:

1. The unit is not intended for sale separate from the primary residence and may be rented.
2. The lot is zoned for residential and contains an existing, single-family dwelling.
3. The accessory dwelling unit is either attached to the existing dwelling or detached from the existing dwelling and located on the same lot as the existing dwelling.
4. The increased floor area of an attached accessory dwelling unit shall not exceed 50 percent of the existing living area, with a maximum increase in floor area of 1,200 square feet.
5. The total area of floor space for a detached accessory dwelling unit shall not exceed 1,200 square feet.
6. Local building code requirements that apply to detached dwellings, as appropriate.
7. No passageway shall be required in conjunction with the construction of an accessory dwelling unit.
8. No setback shall be required for an existing garage that is converted to a accessory dwelling unit, and a setback of no more than five feet from the side and rear lot lines shall be required for an accessory dwelling unit that is constructed above a garage.
9. Accessory dwelling units shall not be required to provide fire sprinklers if they are not required for the primary residence and may employ alternative methods for fire protection.

Parking:

1. Parking requirements for accessory dwelling units shall not exceed one parking space per unit or per bedroom. These spaces may be provided as tandem parking, including on an existing driveway or in setback areas, excluding the non-driveway front yard setback.
2. Parking is not required in the following instances:
 - The accessory dwelling unit is located within one-half mile of public transit, including transit stations and bus stations.

- The accessory dwelling unit is located in the WWW Downtown, XXX Area, YYY Corridor and ZZZ Opportunity Area.
 - The accessory dwelling unit is located within an architecturally and historically significant historic district.
 - When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit.
 - When there is a car share vehicle located within one block of the accessory dwelling unit.
3. Replacement Parking: When a garage, carport, or covered parking structure is demolished or converted in conjunction with the construction of an accessory dwelling unit, replacement parking shall not be required and may be located in any configuration on the same lot as the accessory dwelling unit.

Section XXX4XXX: Permit Requirements

ADUs shall be permitted ministerially, in compliance with this Chapter within 120 days of application. The Community Development Director shall issue a building permit or zoning certificate to establish an accessory dwelling unit in compliance with this Chapter if all applicable requirements are met in Section XXX3XXXX, as appropriate. The Community Development Director may approve an accessory dwelling unit that is not in compliance with Section XXX3XXXX as set forth in Section XXX5XXXX. The XXXX Health Officer shall approve an application in conformance with XXXXXX where a private sewage disposal system is being used.

Section XXX5XXX: Review Process for Accessory Structure Not Complying with Development Standards

An accessory dwelling unit that does not comply with standards in Section XXX3XX may be permitted with a zoning certificate or an administrative use permit at the discretion of the Community Development Director subject to findings in Section XXX6XX.

Section XXX6XXX: Findings

- A. In order to deny an administrative use permit under Section XXX5XXX, the Community Development Director shall find that the Accessory Dwelling Unit would be detrimental to the public health and safety or would introduce unreasonable privacy impacts to the immediate neighbors.
- B. In order to approve an administrative use permit under Section XXX5XXX to waive required accessory dwelling unit parking, the Community Development Director shall find that additional or new on-site parking would be detrimental, and that granting the waiver will meet the purposes of this Chapter.

Section XXX7XXX: Definitions

(1) "Living area means the interior habitable area of a dwelling unit including basements and attics but does not include a garage or any accessory structure.

(2) "Accessory dwelling unit" means an attached or a detached residential dwelling unit which provides complete independent living facilities for one or more persons. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family dwelling is situated. An accessory dwelling unit also includes the following:

(A) An efficiency unit, as defined in Section 17958.1 of Health and Safety Code.

(B) A manufactured home, as defined in Section 18007 of the Health and Safety Code.

(3) "Passageway" means a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the accessory dwelling unit.

(4) (1) "Existing Structure" for the purposes of defining an allowable space that can be converted to an ADU means within the four walls and roofline of any structure existing on or after January 1, 2017 that can be made safely habitable under local building codes at the determination of the building official regardless of any non-compliance with zoning standards.

Attachment 3: Sample JADU Ordinance

(Lilypad Homes at <http://lilypadhomes.org/>)

Draft Junior Accessory Dwelling Units (JADU) – Flexible Housing

Findings:

1. Causation: Critical need for housing for lower income families and individuals given the high cost of living and low supply of affordable homes for rent or purchase, and the difficulty, given the current social and economic environment, in building more affordable housing
2. Mitigation: Create a simple and inexpensive permitting track for the development of junior accessory dwelling units that allows spare bedrooms in homes to serve as a flexible form of infill housing
3. Endangerment: Provisions currently required under agency ordinances are so arbitrary, excessive, or burdensome as to restrict the ability of homeowners to legally develop these units therefore encouraging homeowners to bypass safety standards and procedures that make the creation of these units a benefit to the whole of the community
4. Co-Benefits: Homeowners (particularly retired seniors and young families, groups that tend to have the lowest incomes) – generating extra revenue, allowing people facing unexpected financial obstacles to remain in their homes, housing parents, children or caregivers; Homebuyers - providing rental income which aids in mortgage qualification under new government guidelines; Renters – creating more low-cost housing options in the community where they work, go to school or have family, also reducing commute time and expenses; Municipalities – helping to meet RHNA goals, increasing property and sales tax revenue, insuring safety standard code compliance, providing an abundant source of affordable housing with no additional infrastructure needed; Community - housing vital workers, decreasing traffic, creating economic growth both in the remodeling sector and new customers for local businesses; Planet - reducing carbon emissions, using resources more efficiently;
5. Benefits of Junior ADUs: offer a more affordable housing option to both homeowners and renters, creating economically healthy, diverse, multi-generational communities;

Therefore, the following ordinance is hereby enacted:

This Section provides standards for the establishment of junior accessory dwelling units, an alternative to the standard accessory dwelling unit, permitted as set forth under State Law AB 1866 (Chapter 1062, Statutes of 2002) Sections 65852.150 and 65852.2 and subject to different provisions under fire safety codes based on the fact that junior accessory dwelling units do not qualify as “complete independent living facilities” given that the interior connection from the junior accessory dwelling unit to the main living area remains, therefore not redefining the single-family home status of the dwelling unit.

- A) *Development Standards.* Junior accessory dwelling units shall comply with the following standards, including the standards in Table below:
- 1) *Number of Units Allowed.* Only one accessory dwelling unit or, junior accessory dwelling unit, may be located on any residentially zoned lot that permits a single-family dwelling except as otherwise regulated or restricted by an adopted Master Plan or Precise Development Plan. A junior accessory dwelling unit may only be located on a lot which already contains one legal single-family dwelling.
 - 2) *Owner Occupancy:* The owner of a parcel proposed for a junior accessory dwelling unit shall occupy as a principal residence either the primary dwelling or the accessory dwelling, except when the home is held by an agency such as a land trust or housing organization in an effort to create affordable housing.
 - 3) *Sale Prohibited:* A junior accessory dwelling unit shall not be sold independently of the primary dwelling on the parcel.

- 4) *Deed Restriction:* A deed restriction shall be completed and recorded, in compliance with Section B below.
- 5) *Location of Junior Accessory Dwelling Unit:* A junior accessory dwelling unit must be created within the existing walls of an existing primary dwelling, and must include conversion of an existing bedroom.
- 6) *Separate Entry Required:* A separate exterior entry shall be provided to serve a junior accessory dwelling unit.
- 7) *Interior Entry Remains:* The interior connection to the main living area must be maintained, but a second door may be added for sound attenuation.
- 8) *Kitchen Requirements:* The junior accessory dwelling unit shall include an efficiency kitchen, requiring and limited to the following components:
 - a) A sink with a maximum waste line diameter of one-and-a-half (1.5) inches,
 - b) A cooking facility with appliance which do not require electrical service greater than one-hundred-and-twenty (120) volts or natural or propane gas, and
 - c) A food preparation counter and storage cabinets that are reasonable to size of the unit.
- 9) *Parking:* No additional parking is required beyond that required when the existing primary dwelling was constructed.

Development Standards for Junior Accessory Dwelling Units

SITE OR DESIGN FEATURE	SITE AND DESIGN STANDARDS
Maximum unit size	500 square feet
Setbacks	As required for the primary dwelling unit
Parking	No additional parking required

- B) *Deed Restriction:* Prior to obtaining a building permit for a junior accessory dwelling unit, a deed restriction, approved by the City Attorney, shall be recorded with the County Recorder's office, which shall include the pertinent restrictions and limitations of a junior accessory dwelling unit identified in this Section. Said deed restriction shall run with the land, and shall be binding upon any future owners, heirs, or assigns. A copy of the recorded deed restriction shall be filed with the Department stating that:
 - 1) The junior accessory dwelling unit shall not be sold separately from the primary dwelling unit;
 - 2) The junior accessory dwelling unit is restricted to the maximum size allowed per the development standards;
 - 3) The junior accessory dwelling unit shall be considered legal only so long as either the primary residence, or the accessory dwelling unit, is occupied by the owner of record of the property, except when the home is owned by an agency such as a land trust or housing organization in an effort to create affordable housing;
 - 4) The restrictions shall be binding upon any successor in ownership of the property and lack of compliance with this provision may result in legal action against the property owner, including revocation of any right to maintain a junior accessory dwelling unit on the property.
- C) *No Water Connection Fees:* No agency should require a water connection fee for the development of a junior accessory dwelling unit. An inspection fee to confirm that the dwelling unit complies with development standard may be assessed.

- D) *No Sewer Connection Fees*: No agency should require a sewer connection fee for the development of a junior accessory dwelling unit. An inspection fee to confirm that the dwelling unit complies with development standard may be assessed.
- E) *No Fire Sprinklers and Fire Attenuation*: No agency should require fire sprinkler or fire attenuation specifications for the development of a junior accessory dwelling unit. An inspection fee to confirm that the dwelling unit complies with development standard may be assessed.
-

Definitions of Specialized Terms and Phrases.

“Accessory dwelling unit” means an attached or a detached residential dwelling unit which provides complete independent living facilities for one or more persons. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family dwelling is situated. An accessory dwelling unit also includes the following:

- (1) An efficiency unit, as defined in Section 17958.1 of Health and Safety Code.
- (2) A manufactured home, as defined in Section 18007 of the Health and Safety Code.

“Junior accessory dwelling unit” means a unit that is no more than 500 square feet in size and contained entirely within an existing single-family structure. A junior accessory dwelling unit may include separate sanitation facilities, or may share sanitation facilities with the existing structure.

Attachment 4: State Standards Checklist (As of January 1, 2017)

YES/NO	STATE STANDARD*	GOVERNMENT CODE SECTION
	Unit is not intended for sale separate from the primary residence and may be rented.	65852.2(a)(1)(D)(i)
	Lot is zoned for single-family or multifamily use and contains an existing, single-family dwelling.	65852.2(a)(1)(D)(ii)
	Accessory dwelling unit is either attached to the existing dwelling or located within the living area of the existing dwelling or detached from the existing dwelling and located on the same lot as the existing dwelling.	65852.2(a)(1)(D)(iii)
	Increased floor area of an attached accessory dwelling unit does not exceed 50 percent of the existing living area, with a maximum increase in floor area of 1,200 square feet.	65852.2(a)(1)(D)(iv)
	Total area of floor space for a detached accessory dwelling unit does not exceed 1,200 square feet.	65852.2(a)(1)(D)(v)
	Passageways are not required in conjunction with the construction of an accessory dwelling unit.	65852.2(a)(1)(D)(vi)
	Setbacks are not required for an existing garage that is converted to an accessory dwelling unit, and a setback of no more than five feet from the side and rear lot lines are not required for an accessory dwelling unit that is constructed above a garage.	65852.2(a)(1)(D)(vi i)
	(Local building code requirements that apply to detached dwellings are met, as appropriate.	65852.2(a)(1)(D)(vi ii)
	Local health officer approval where a private sewage disposal system is being used, if required.	65852.2(a)(1)(D)(ix)
	Parking requirements do not exceed one parking space per unit or per bedroom. These spaces may be provided as tandem parking on an existing driveway.	65852.2(a)(1)(D)(x)

* Other requirements may apply. See Government Code Section 65852.2

Attachment 5: Bibliography

Reports

[ACCESSORY DWELLING UNITS: CASE STUDY](#) (26 pp.)

By United States Department of Housing and Urban Development, Office of Policy Development and Research. (2008)

Introduction: Accessory dwelling units (ADUs) — also referred to as accessory apartments, ADUs, or granny flats — are additional living quarters on single-family lots that are independent of the primary dwelling unit. The separate living spaces are equipped with kitchen and bathroom facilities, and can be either attached or detached from the main residence. This case study explores how the adoption of ordinances, with reduced regulatory restrictions to encourage ADUs, can be advantageous for communities. Following an explanation of the various types of ADUs and their benefits, this case study provides examples of municipalities with successful ADU legislation and programs. Section titles include: History of ADUs; Types of Accessory Dwelling Units; Benefits of Accessory Dwelling Units; and Examples of ADU Ordinances and Programs.

[THE MACRO VIEW ON MICRO UNITS](#) (46 pp.)

By Bill Whitlow, et al. — Urban Land Institute (2014)
Library Call #: H43 4.21 M33 2014

The Urban Land Institute Multifamily Housing Councils were awarded a ULI Foundation research grant in fall 2013 to evaluate from multiple perspectives the market performance and market acceptance of micro and small units.

[RESPONDING TO CHANGING HOUSEHOLDS: Regulatory Challenges for Micro-units and Accessory Dwelling Units](#) (76 pp.)

By Vicki Been, Benjamin Gross, and John Infranca (2014)
New York University: Furman Center for Real Estate & Urban Policy
Library Call # D55 3 I47 2014

This White Paper fills two gaps in the discussion regarding compact units. First, we provide a detailed analysis of the regulatory and other challenges to developing both ADUs and micro-units, focusing on five cities: New York; Washington, DC; Austin; Denver; and Seattle. That analysis will be helpful not only to the specific jurisdictions we study, but also can serve as a model for those who want to catalogue regulations that might get in the way of the development of compact units in their own jurisdictions. Second, as more local governments permit or encourage compact units, researchers will need to evaluate how well the units built serve the goals proponents claim they will.

[SCALING UP SECONDARY UNIT PRODUCTION IN THE EAST BAY: Impacts and Policy Implications](#) (25 pp.)

By Jake Webmann, Alison Nemirow, and Karen Chapple (2012)
UC Berkeley: Institute of Urban and Regional Development (IURD)
Library Call # H44 1.1 S33 2012

This paper begins by analyzing how many secondary units of one particular type, detached backyard cottages, might be built in the East Bay, focusing on the Flatlands portions of Berkeley, El Cerrito, and Oakland. We then investigate the potential impacts of scaling up the strategy with regard to housing affordability, smart growth, alternative transportation, the economy, and city budgets. A final section details policy recommendations, focusing on regulatory reforms and other actions cities can take to encourage secondary unit construction, such as promoting carsharing programs, educating residents, and providing access to finance.

[SECONDARY UNITS AND URBAN INFILL: A literature Review \(12 pp.\)](#)

By Jake Wegmann and Alison Nemirow (2011)
UC Berkeley: IURD
Library Call # D44 4.21 S43 2011

This literature review examines the research on both infill development in general, and secondary units in particular, with an eye towards understanding the similarities and differences between infill as it is more traditionally understood – i.e., the development or redevelopment of entire parcels of land in an already urbanized area – and the incremental type of infill that secondary unit development constitutes.

[YES, BUT WILL THEY LET US BUILD? The Feasibility of Secondary Units in the East Bay \(17 pp.\)](#)

By Alison Nemirow and Karen Chapple (2012)
UC Berkeley: IURD
Library Call # H44.5 1.1 Y47 2012

This paper begins with a discussion of how to determine the development potential for secondary units, and then provides an overview of how many secondary units can be built in the East Bay of San Francisco Bay Area under current regulations. The next two sections examine key regulatory barriers in detail for the five cities in the study (Albany, Berkeley, El Cerrito, Oakland, and Richmond), looking at lot size, setbacks, parking requirements, and procedural barriers. A sensitivity analysis then determines how many units could be built were the regulations to be relaxed.

[YES IN MY BACKYARD: Mobilizing the Market for Secondary Units \(20 pp.\)](#)

By Karen Chapple, J. Weigmann, A. Nemirow, and C. Dentel-Post (2011)
UC Berkeley: Center for Community Innovation.
Library Call # B92 1.1 Y47 2011

This study examines two puzzles that must be solved in order to scale up a secondary unit strategy: first, how can city regulations best enable their construction? And second, what is the market for secondary units? Because parking is such an important issue, we also examine the potential for secondary unit residents to rely on alternative transportation modes, particular car share programs. The study looks at five adjacent cities in the East Bay of the San Francisco Bay Area (Figure 1) -- Oakland, Berkeley, Albany, El Cerrito, and Richmond -- focusing on the areas within ½ mile of five Bay Area Rapid Transit (BART) stations.

Journal Articles and Working Papers:

[BACKYARD HOMES LA \(17 pp.\)](#)

By Dana Cuff, Tim Higgins, and Per-Johan Dahl, Eds. (2010)
Regents of the University of California, Los Angeles.
City Lab Project Book.

[DEVELOPING PRIVATE ACCESSORY DWELLINGS \(6 pp.\)](#)

By William P. Macht. Urbanland online. (June 26, 2015)
Library Location: Urbanland 74 (3/4) March/April 2015, pp. 154-161.

[GRANNY FLATS GAINING GROUND](#) (2 pp.)

By Brian Barth. Planning Magazine: pp. 16-17. (April 2016)
Library Location: Serials

["HIDDEN" DENSITY: THE POTENTIAL OF SMALL-SCALE INFILL DEVELOPMENT](#) (2 pp.)

By Karen Chapple (2011)
UC Berkeley: IURD Policy Brief.
Library Call # D44 1.2 H53 2011

California's implementation of SB 375, the Sustainable Communities and Climate Protection Act of 2008, is putting new pressure on communities to support infill development. As metropolitan planning organizations struggle to communicate the need for density, they should take note of strategies that make increasing density an attractive choice for neighborhoods and regions.

[HIDDEN DENSITY IN SINGLE-FAMILY NEIGHBORHOODS: Backyard cottages as an equitable smart growth strategy](#) (22 pp.)

By Jake Wegmann and Karen Chapple. Journal of Urbanism 7(3): pp. 307-329. (2014)

Abstract (not available in full text): Secondary units, or separate small dwellings embedded within single-family residential properties, constitute a frequently overlooked strategy for urban infill in high-cost metropolitan areas in the United States. This study, which is situated within California's San Francisco Bay Area, draws upon data collected from a homeowners' survey and a Rental Market Analysis to provide evidence that a scaled-up strategy emphasizing one type of secondary unit – the backyard cottage – could yield substantial infill growth with minimal public subsidy. In addition, it is found that this strategy compares favorably in terms of affordability with infill of the sort traditionally favored in the 'smart growth' literature, i.e. the construction of dense multifamily housing developments.

[RETHINKING PRIVATE ACCESSORY DWELLINGS](#) (5 pp.)

By William P. Macht. Urbanland online. (March 6, 2015)
Library Location: Urbanland 74 (1/2) January/February 2015, pp. 87-91.

[ADUS AND LOS ANGELES' BROKEN PLANNING SYSTEM](#) (4 pp.)

By CARLYLE W. Hall. The Planning Report. (April 26, 2016).
Land-use attorney Carlyle W. Hall comments on building permits for accessory dwelling units.

News:

[HOW ONE COLORADO CITY INSTANTLY CREATED AFFORDABLE HOUSING](#)

By Anthony Flint. The Atlantic-CityLab. (May 17, 2016).

In Durango, Colorado, zoning rules were changed to allow, for instance, non-family members as residents in already-existing accessory dwelling units.

[NEW HAMPSHIRE WINS PROTECTIONS FOR ACCESSORY DWELLING UNITS](#) (1 p.)

NLIHC (March 28, 2016)

Affordable housing advocates in New Hampshire celebrated a significant victory this month when Governor Maggie Hassan (D) signed Senate Bill 146, legislation that allows single-family homeowners to add an accessory

dwelling unit as a matter of right through a conditional use permit or by special exception as determined by their municipalities. The bill removes a significant regulatory barrier to increasing rental homes at no cost to taxpayers.

[NEW IN-LAW SUITE RULES BOOST AFFORDABLE HOUSING IN SAN FRANCISCO](#). (3 pp.)

By Rob Poole. Shareable. (June 10, 2014).

The San Francisco Board of Supervisors recently approved two significant pieces of legislation that support accessory dwelling units (ADUs), also known as “in-law” or secondary units, in the city...

[USING ACCESSORY DWELLING UNITS TO BOLSTER AFFORDABLE HOUSING](#) (3 pp.)

By Michael Ryan. Smart Growth America. (December 12, 2014).

RESOLUTION NO. 5882-17

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE RECOMMENDING APPROVAL OF AMENDMENT NO. A-017-2017, TO AMEND PORTIONS OF CHAPTERS 9.04, 9.08 AND 9.12 OF TITLE 9 OF THE CITY OF GARDEN GROVE MUNICIPAL CODE PERTAINING TO ACCESSORY DWELLING UNITS, AND AMENDING CHAPTER 9.52 AND REPEALING CHAPTER 5.85 PERTAINING TO COMMERCIAL CANNABIS ACTIVITIES.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on April 20, 2017 does hereby recommend approval of Amendment No. A-017-2017 to the City Council.

BE IT FURTHER RESOLVED in the matter of Amendment No. A-017-2017, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The case was initiated by the City of Garden Grove.
2. The City of Garden Grove is proposing to amend portions of Title 9 (Zoning) of the Garden Grove Municipal code, including Chapters 9.04, 9.08 and 9.12 to update the definition, the land use matrix, and special operating conditions for accessory dwelling units to be consistent with state law. Also, an amendment to Chapter 9.52 and repealing Chapter 5.85 of the Garden Grove Municipal Code to maintain the ban on commercial cannabis activities consistent with state law.
3. The Planning Commission recommends the City Council find that the proposed amendment is exempt from the California Environmental Quality Act ("CEQA") pursuant to Public Resources Code Section 21080.17 (CEQA does not apply to the adoption of an ordinance by a city or county to implement the provisions of Section 65852.1 or Section 65852.2 of the Government Code) and CEQA Guidelines Section 15061(b)(3) (It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment).
4. Pursuant to legal notice, a public hearing was held on April 20, 2017, and all interested persons were given an opportunity to be heard.
5. Report submitted by City staff was reviewed.
6. The Planning Commission gave due and careful consideration to the matter during its meeting of April 20, 2017; and

BE IT FURTHER RESOLVED, FOUND AND DETERMINED that the facts and reasons supporting the conclusion of the Planning Commission are as follows:

FACTS:

The proposed Code Amendment is a text amendment intended to conform the City's Municipal Code by incorporating recent changes to state law regarding accessory dwelling units ("ADUs") and the private cultivation of cannabis.

Accessory Dwelling Units

Effective January 1, 2017, Senate Bill (SB) 1069 and Assembly Bill (AB) 2299 amended Government Code Sections 65852.150 and 65852.2 for the purpose of further facilitating the creation of ADUs to address the State's housing shortages crisis. These amended state laws establish new requirements and limitations that local jurisdictions must comply with in order retain authority to continue to regulate ADUs. The proposed text amendments to portions of Chapters 9.04, 9.08 and 9.12 would update the definition, the land use matrix, and special operating conditions for accessory dwelling units (previously referred to as "second units") to be consistent with the amended state law.

Cannibis

On November 8, 2016, California voters approved Proposition 64 – the Control, Regulate, and Tax Adult Use of Marijuana Act legalizing recreational marijuana use for adults 21 or older. Although the measure legalized recreational use of marijuana, it permits the City to continue to prohibit marijuana business activities, except that the City may not prohibit adults 21 years or older from cultivating up to six living marijuana plants inside a private residence, or inside an accessory structure that is fully enclosed and secure located at that private residence. The proposed text amendments to Chapter 9.52 would affirm continuation of the ban against marijuana business activities, but carve out the private cultivation exception so that the City's ban can conform to Proposition 64.

FINDINGS AND REASONS:

1. The Amendment is internally consistent with the goals, objectives and elements of the City's General Plan.

Accessory Dwelling Units

The proposed code amendments to Chapters 9.04, 9.08 and 9.12 of the Land Use Code will bring the City's Land Use Code into conformance with recent changes to state law pertaining to accessory dwelling units (AUDs) enacted by Senate Bill 1069 and Assembly Bill 2299. The intent of the changes to the state law is to facilitate the creation of ADUs, which are considered as an essential affordable housing option to address the State's growing housing crisis. ADUs will continue to be allowed in the R-1 (Single-Family Residential) zone. The R-1 zone implements the Low Density Residential (LDR) land use

designation, which is intended to create, maintain, and enhance residential areas characterized by detached, single unit structures, and single-family residential neighborhoods. Goal LU-2/ Policy LU-2.2 of the General Plan Land Use element encourages a diverse mix of housing types in the City, and the goal of the General Plan Housing Element is to encourage the development of affordable housing to meet the City's regional housing needs as well as to provide housing that encourages people of all economic levels to live in Garden Grove. ADUs will provide for more housing opportunities in the City that will meet the City's regional housing needs.

Cannabis

The proposed code amendments to Chapter 9.52 of the Land Use Code will affirm continuation of the City's ban against marijuana business activities, but carve out the private cultivation exception so that the City's ban will conform to Proposition 64. Consistent with Proposition 64, the cultivation exception will be limited to the possession, planting, cultivation, harvesting, drying, or processing of up to 6 marijuana plants by persons 21 years of age or older inside a private residence, or inside an accessory structure to a private residence located upon the grounds of a private residence that is fully enclosed and secure. The General Plan does not contain specific goals or policies pertaining to cannabis-related activities; however, continuing to prohibit cannabis dispensaries, delivery, and cultivation in the City, with the limited exception for private cultivation mandated by Proposition 64, is consistent with various policies in the City's Land Use Element, which encourages compatibility between uses and seeks to protect residential areas from the effects of potentially incompatible uses.

2. The Amendment will promote the public interest, health, safety and welfare.

Accessory Dwelling Units

The proposed Code Amendment will bring the City's Land Use Code into conformance with changes to state law relating to accessory dwelling units (ADUs) pursuant to SB 1069 and AB 2299. The proposed amendments to Chapters 9.04, 9.08 and 9.12 are intended to be consistent with current state law, and will facilitate the construction of ADUs, which are an essential affordable housing option to meet the state's growing housing crisis. Nevertheless, to minimize impacts of ADUs to existing single-family residential neighborhoods, the code will continue to impose reasonable development standards on attached and detached ADUs, will prohibit short-term rentals of ADUs (less than 30-days), and will continue to require the property owner to reside on the same property as the ADU, including recording a deed restriction acknowledging compliance with the City's ADU requirements.

Cannabis

The proposed Code Amendment will further conform the Code to Proposition 64, by continuing to prohibit marijuana business activities in the City, but exempting adults 21 years or older cultivating up to six living marijuana plants inside a private residence, or inside an accessory structure that is fully enclosed and secure located at that private residence. The Amendment will also repeal the registration process for medical marijuana dispensaries because it is no longer needed now that the City has adopted a complete ban against marijuana business activities.

INCORPORATION OF FACTS AND FINDINGS SET FORTH IN STAFF REPORT:

In addition to the foregoing, the Planning Commission incorporates herein by this reference, the facts and reasons set forth in the staff report.

BE IT FURTHER RESOLVED that the Planning Commission does conclude:

1. Amendment No. A-017-2017 possesses characteristics that would indicate justification of the request in accordance with Municipal Code Section 9.32.030.D.1 (Code Amendment).
2. The Planning Commission recommends that the City Council approve Amendment No. A-017-2017 and adopt the draft Ordinance attached hereto as Exhibit "A".

Adopted this 20th day of April, 2017

ATTEST:

/s/ ANDREW KANZLER
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 April 20, 2017, by the following vote:

AYES: COMMISSIONERS: (7) BRIETIGAM, KANZLER, LAZENBY, LEHMAN,
NGUYEN, SALAZAR, TRUONG
NOES: COMMISSIONERS: (0) NONE

/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 May 11, 2017.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING AMENDMENT NO. A-017-2017 AMENDING PORTIONS OF TITLE 9 (ZONING CODE) AND REPEALING CHAPTER 5.85 OF THE GARDEN GROVE MUNICIPAL CODE ADOPTING ACCESSORY DWELLING UNIT REGULATIONS AND MAINTAINING THE BAN ON CANNABIS ACTIVITIES CONSISTENT WITH RECENT CHANGES TO STATE LAW.

City Attorney Summary

This Ordinance amends the Garden Grove Zoning Code to revise second unit regulations in single-family residential lots and replace them with new accessory dwelling unit regulations consistent with the 2017 revisions to State's Planning and Zoning Law. It further revises the Municipal Code to continue to maintain the ban on cannabis activities consistent with recent changes to state law.

WHEREAS, in 2016 the State Legislature adopted Assembly Bill 2299 and Senate Bill 1069 to streamline current regulations for second units in residential districts, now termed "accessory dwelling units"; and

WHEREAS, the new State regulations preempt local regulation until the City adopts regulations consistent with the standards adopted in the new legislation; and

WHEREAS, on November 8, 2016, California voters approved Proposition 64 – the Control, Regulate, and Tax Adult Use of Marijuana Act (the "Adult Use of Marijuana Act") legalizing recreational marijuana use for adults 21 or older; and

WHEREAS, pursuant to the Adult Use of Marijuana Act, local governments may continue to prohibit cannabis business activities, but may not prohibit adults 21 years or older from cultivating up to six living marijuana plants inside a private residence, or inside an accessory structure located thereon, that is fully enclosed and secure; and

WHEREAS, on August 23, 2011, the City Council adopted Ordinance No. 2798-A, adding Chapter 5.85 "Registration Process for Medical Marijuana Dispensaries" to Title 5 of the Garden Grove Municipal Code. Chapter 5.85 provided for the identification of unauthorized medical marijuana dispensaries operating in the City and prohibited any new medical marijuana dispensaries while new regulatory and zoning provisions were developed and considered; and

WHEREAS, on January 26, 2016, the City Council adopted Ordinance No. 2863, adding Chapter 9.52 "Cannabis Activities" to Title 9 of the Garden Grove Municipal Code. Chapter 9.52 prohibits the establishment, maintenance, or operation of marijuana dispensaries and related commercial cannabis activities, including the

distribution, manufacture cultivation and delivery of cannabis and/or cannabis products in all zoning districts, planned unit development districts, and specific plan areas in the City; and

WHEREAS, the City wishes to continue to provide for the public health, safety and welfare of the community by establishing local controls over land use, including accessory dwelling units and a ban on commercial cannabis activities; and

WHEREAS, following a Public Hearing held on _____, 2017, the Planning Commission adopted Resolution No. _____-__ recommending approval of Amendment No. A-017-2017; and

WHEREAS, pursuant to a legal notice, a Public Hearing regarding the proposed adoption of this Ordinance was held by the City Council on _____, 2017, and all interested persons were given an opportunity to be heard; and

WHEREAS, the City Council gave due and careful consideration to the matter.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDEN GROVE HEREBY ORDAINS AS FOLLOWS:

SECTION 1: The above recitals are true and correct.

SECTION 2: Subsection C of Section 9.04.060 of Chapter 9.04 of Title 9 of the Garden Grove Municipal Code is hereby amended to add a definition for "Accessory dwelling unit" and to delete the current definition for "Second unit" as follows (additions in ***bold/italic***, deletions in strike-through):

"Accessory dwelling unit" (also "ADU," "second unit," or "granny unit") means an attached or detached residential dwelling unit situated on the same parcel as an existing primary single-family dwelling, which provides complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation. An accessory dwelling unit also includes and "efficiency unit" as defined in California Health and Safety Code Section 17958.1 and a "manufactured home" as defined in California Health and Safety Code Section 18007. An accessory dwelling unit may be established through (i) construction of a new detached structure, (ii) construction of an addition to an existing single-family dwelling, (iii) conversion of existing space in an existing single-family dwelling, or (iv) conversion of an existing garage or other accessory structure on a lot containing an existing single-family dwelling, provided it is set back at a distance sufficient for fire safety.

~~"Second unit" means an attached or detached residential dwelling unit located on the same lot as a single-family residence that provides independent~~

~~living facilities for one or more persons, including a kitchen or any other area used for the daily preparation of food.~~

SECTION 3: Table 1 of Section 9.08.020.030 of Chapter 9.08 of Title 9 of the Garden Grove Municipal Code is hereby amended to replace "Second Unit" with "Accessory dwelling unit" as follows (additions in ***bold italic***, deletions in ~~strikethrough~~):

Table 1
CITY OF GARDEN GROVE LAND USE MATRIX

ZONES USES	R-1
Residential	
Accessory Buildings and Structures	I*
<i>Accessory Dwelling Unit</i>	<i>P*</i>
Agricultural Growing and Produce Stand	P
...	...
Residential Care Facility for the Elderly (RCFE) – 6 Persons or Less	P
Second Unit	p*
Single-Family Dwelling	P
...	...

SECTION 4: Subsection L of Section 9.08.020.050 of Chapter 9.08 of Title 9 of the Garden Grove Municipal Code is hereby amended to read as follows (additions in ***bold italic***, deletions in ~~strikethrough~~):

L. ~~Second~~ ***Accessory Dwelling*** Units. Subject to the following conditions:

1. ~~A second~~ ***An accessory*** dwelling unit that conforms to the requirements of this subsection shall be considered consistent with the allowable density for the lot and the single-family land use designation for such lot as provided in the applicable general plan and zone map for such lot. ***Accessory dwelling units shall not be considered new residential uses for the purposes of calculating connection fees or capacity charges for utilities, including water and sewer service.***
2. The property shall be zoned for R-1 single-family residential uses.
3. The lot on which the ~~second~~ ***accessory dwelling*** unit is proposed to be established shall contain one existing permanent single-family dwelling (the "primary unit") and no existing granny unit, guest house, servants quarters, accessory living quarters, or

similar facility, unless the proposal includes the demolition or modification of such facility so as to comply with the provisions of this subsection.

4. The primary unit complies with current parking requirements or, if the primary unit does not comply with the parking requirements, the primary unit will be made to comply with the parking requirements as part of the application for a proposed second **accessory dwelling** unit. ***When a garage, carport, or covered parking structure containing required off-street parking spaces for the primary unit is demolished or eliminated in conjunction with the construction of an accessory dwelling unit, said parking spaces shall be replaced. These replacement parking spaces may be located in any configuration on the same lot as the accessory dwelling unit, including, but not limited to, as covered spaces, uncovered spaces, tandem spaces, or by the use of mechanical automobile parking lifts.***
5. ***The lot and all structures thereon shall be legal or legal nonconforming, or will be made so prior to development of the accessory dwelling unit.*** If the primary unit or any associated accessory structures have legally established deviations or variances from current zoning requirements, a second **an accessory dwelling** unit may be permitted, provided the second **accessory dwelling** unit complies in all respects with the requirements of this subsection.
6. Adequate infrastructure, including, but not limited to, sewer and water services and ***streets sufficient for*** traffic flow and circulation, shall be available within the residential neighborhood in which the second **an accessory dwelling** unit ***not located within the space of an existing structure*** is proposed to be located to serve such second **accessory dwelling** unit, ***as determined by the Public Works Director.***
7. The second **accessory dwelling** unit may be either attached to or detached from, ***or located within the existing space of,*** the existing single-family residence and shall be located on the same lot as the existing single-family residence.
8. ***Except as otherwise provided in this subsection or by state law,*** the following development and design standards shall apply to second **accessory dwelling** units:
 - a. The lot is a minimum of 9,000 **7,200** square feet in size.

- b. No more than one ~~second~~ **accessory dwelling** unit shall be allowed on a single lot.
- c. Each ~~second~~ **accessory dwelling** unit shall meet the following minimum sizes based on the number of sleeping rooms, **provided, however, that a smaller unit constituting an "efficiency unit" as defined California Health and Safety Code Section 17958.1 is permitted:**
 - i. Studio units: 500 square feet.
 - ii. One sleeping room: 600 square feet.
 - iii. Two sleeping rooms: 700 square feet.
- d. The ~~second~~ **accessory dwelling** unit shall not contain more than two sleeping units and shall not exceed ~~700~~ **800** square feet in area, except as expressly provided herein.
- e. The ~~second~~ **accessory dwelling** unit may include an attached covered patio and/or porch, which, if provided, shall be integrated into the design of the ~~second~~ **accessory dwelling** unit and shall not exceed 80 square feet.
- f. The ~~second~~ **accessory dwelling** unit may include an attached one-car garage, which, if provided, shall be integrated into the design of the ~~second~~ **accessory dwelling** unit and shall not exceed 250 square feet.
- g. In no event shall an ~~second~~ **accessory dwelling** unit including porch, patio, and garage, exceed ~~1,000~~ **1,100** square feet.
- h. The ~~second~~ **accessory dwelling** unit shall have a separate entrance and shall contain kitchen and bathroom facilities separate from those of the existing single-family residence. Laundry hookups to serve the ~~second~~ **accessory dwelling** unit are encouraged.
- i. **Unless otherwise required by applicable law or the utility provider or determined by the Public Works Director to be necessary, an accessory dwelling unit shall be served by the same water, sewer, and other**

utility connections serving the primary unit, and no No separate utility meters shall be permitted for the second **accessory dwelling** unit. **An accessory dwelling unit must receive the approval of the local health officer where a private sewage disposal system is being used.**

- j. **Except to the extent otherwise provided in this subsection,** ~~The second~~ **the accessory dwelling** unit shall conform to all the development standards for the R-1 zone **set forth in Section 9.08.040**, including, but not limited to, standards for front, rear, and side yard setbacks, height, and lot coverage, **lot width, building placement, design and architectural compatibility, driveway width, screening of mechanical equipment and metering devices, landscaping, walls, fences, hedges, and parking spaces.**
- k. The second **accessory dwelling** unit shall be considered as part of the 50% lot coverage calculation that also includes all buildings and structures (primary and accessory); **and** uncovered and covered parking areas, and driveways; but excludes uncovered swimming pools and uncovered **permeable or semi-permeable** recreational **surface** areas.
- l. **Attached accessory dwelling units shall comply with the setback standards established for additions to single-family dwellings, and detached accessory dwelling units shall comply with the setback standards established for detached accessory structures. Notwithstanding the foregoing, no setback is required where an existing garage is converted to an accessory dwelling unit. A minimum five (5) foot yard rear and side yard setback is required for any accessory dwelling unit constructed above an existing garage (if otherwise permitted).** A detached second **accessory** dwelling unit shall have a minimum separation of six feet between the primary unit and the detached-second **accessory dwelling** unit.
- m. Second **Detached accessory dwelling** units shall be one story, constructed at ground level, and shall not be more than 17 feet in height measured from ground level to the highest point on the roof. **Attached accessory dwelling units developed as additions to primary dwelling**

units shall be subject to the height limits and related standards applicable to additions to existing single-family residences, including, but not limited to, all privacy provisions limiting window placement and design. Exterior stairs associated with an attached accessory dwelling unit shall only be permitted if they would otherwise be allowed for the primary unit, shall not be located on the front façade of the structure, and shall be oriented and designed in such a manner so as not to permit unobscured views into windows of adjacent residential dwelling units or to pools, spas, or similar recreational areas situated on adjacent properties.

- n. The design, color, material, and texture of the roof of the second ***accessory dwelling*** unit shall be substantially the same as the primary unit.
- o. The color, material, and texture of all building walls of the second ***accessory dwelling*** unit shall be similar to and compatible with the primary unit.
- p. The design of the second ***accessory dwelling*** unit shall be architecturally compatible with the primary unit and shall maintain the scale and appearance of the existing single-family unit.
- q. ***Except as otherwise provided herein, one*** ~~One enclosed off-street~~ ***parking*** space shall be provided for a single ***an accessory dwelling*** unit with one bedroom or no bedroom. ~~One enclosed space and one uncovered~~ ***Two off-street parking*** spaces shall be provided for a two-bedroom second ***accessory dwelling*** unit. ~~The one uncovered space may be designed as a tandem parking space in front of the new enclosed space for the second unit.~~ ***Parking for the accessory dwelling unit is in addition to the required parking for the primary unit. Required off-street parking spaces for an accessory dwelling unit may be provided as tandem parking on an existing driveway or in setback areas approved by the Community and Economic Development Director ("Director"), unless the Director specifically finds that such parking arrangements are not feasible based upon specific site or regional topographical or fire or life safety conditions, or are not permitted anywhere in the city.***

Exception: No additional off-street parking spaces are required for a new accessory dwelling unit in any of the following circumstances:

- i. The accessory dwelling unit is located within one-half mile of public transit;***
 - ii. The accessory dwelling unit is located within an architecturally and historically significant district;***
 - iii. The accessory dwelling unit is part of the existing primary residence or an existing accessory structure;***
 - iv. When on-street parking permits are required, but not offered to the occupant of the accessory dwelling unit; or***
 - v. When there is a car share vehicle located within one block of the accessory dwelling unit.***
- r. To the maximum extent feasible, the ~~second~~ ***accessory dwelling*** unit shall utilize the same vehicular access that serves the primary dwelling unit; however, the parking area for the second unit shall have approved access to a public right-of-way.
- s. ***An accessory dwelling unit shall have a separate entrance than the primary unit. An uncovered pathway from the street to the entrance of an accessory dwelling unit (called as a "passageway") is not required.***
9. The owner of the property shall occupy one of the residential units. The residential unit that is not occupied by the owner may be rented or leased ***for terms of 30 days or more***. In the event the owner of the lot shall cease to occupy a unit on the lot, the ~~second~~ ***accessory dwelling*** unit shall automatically become non-habitable space, shall not be used as a dwelling unit, and shall not be rented or leased for any purpose.
10. Sale or ownership of a ~~second~~ ***an accessory dwelling*** unit separate from the existing single-family unit is prohibited.

11. Prior to issuance of a building permit for a second ***an accessory dwelling*** unit, the property owner shall record with the County Recorder's office an agreement with the City setting forth the property owner's acknowledgement and agreement with the requirements of this subdivision, in a form satisfactory to the City Manager or the City Manager's designee and the City Attorney or the City Attorney's designee, ***which runs with the land and describes restrictions that allow for the continued use of the accessory dwelling unit as follows:***
- a. ***The accessory dwelling unit shall not be sold or owned separately from the primary dwelling unit on the property, and the property shall not be subdivided in any manner that would authorize such separate sale or ownership.***
 - b. ***The accessory dwelling unit may not be rented for a term of less than thirty (30) days.***
 - c. ***The accessory dwelling unit is restricted to the size and attributes set forth in this subsection. If the accessory dwelling unit is an "efficiency unit" as defined California Health and Safety Code Section 17958.1, occupancy of the unit shall be restricted to no more than the number of persons corresponding to the size of the efficiency unit.***
 - d. ***The required number of parking spaces (if any) shall be provided for the accessory dwelling unit at all times.***
 - e. ***The accessory unit shall be considered legal only so long as either the primary dwelling unit, or the accessory dwelling unit, is occupied by an owner of record of the property as his or her principal residence. In the event an owner of the lot shall cease to occupy a unit on the lot, the accessory dwelling unit shall automatically become non-habitable space, shall not be used as a dwelling unit, and shall not be rented or leased for any purpose.***
 - f. ***The restrictions shall run with the land and be binding upon any successor in ownership of the property, and lack of compliance shall be good cause for legal action against the property owner for***

compliance with the requirements for an accessory dwelling unit.

12. ***Applications for development of an accessory dwelling unit must be submitted to the Director on a form prepared by the city and must include all information and materials prescribed by such form. No application shall be accepted unless it is completed as prescribed and is accompanied by payment for all applicable fees. The Director shall ministerially review and approve or disapprove a complete application for an accessory dwelling unit within 120 days of submittal of a complete application. Review is limited to ensure that the accessory dwelling unit complies with the requirements of this subsection. An application for an accessory dwelling unit*** ~~Any owner that is unable to~~ ***does not*** ~~comply with the development standards and conditions of this subsection shall~~ ***be denied, unless the owner*** ~~first applies~~ ***apply for and secure*** ~~secures~~ ***the approval of a variance pursuant to the provisions of this code before a second unit may be approved.***
13. ***In addition to approval of an accessory dwelling unit application, the applicant shall be required to obtain any appropriate permits from the building division prior to the construction or conversion of the accessory dwelling unit. Except as otherwise provided in this subsection or by state law, all building, fire, and related code requirements applicable to habitable dwellings apply to accessory dwelling units. Pursuant to Government Code section 65852.2, an accessory dwelling unit shall not be required to provide fire sprinklers if they are not required for the primary unit.***
14. ***Notwithstanding the provisions of paragraph 8 of this subsection, the city shall approve a building permit for an accessory dwelling unit to create within a single-family residentially zoned property one accessory dwelling unit per single-family lot if the accessory dwelling unit is contained within the building envelope of an existing legal primary unit, garage, or other accessory structure, has independent exterior access from the existing legal primary unit, complies with all building standards, and the Director determines that the side and rear setbacks are sufficient for fire safety.***

SECTION 5: Exemption (b.) of Subsection D of Section 9.08.040.030 of Chapter 9.08 of Title 9 of the Garden Grove Municipal Code is hereby amended to read as follows (additions in ***bold italic***, deletions in ~~strikethrough~~):

Exemptions:

- a. One-story detached accessory structures used as tool sheds, playhouses and similar uses shall be exempt from the architectural requirements contained in Section 9.08.040.030.A, provided any such structure does not exceed 120 square feet of projected roof area and is located to the rear and interior side of the main building.
- b. Second ***Accessory dwelling*** units, including porch and/or patio areas and enclosed parking areas dedicated to the ~~second~~ ***accessory dwelling*** unit that are within the maximum area for a ~~second~~ ***accessory dwelling*** unit, shall be exempt from the provisions of this subsection.

SECTION 6: Exemption (b.) of Subsection D of Section 9.12.040.030 of Chapter 9.08 of Title 9 of the Garden Grove Municipal Code is hereby amended to read as follows (additions in ***bold italic***, deletions in ~~strikethrough~~):

Exemptions:

- a. One-story detached accessory structures used as tool sheds, playhouses and similar uses shall be exempt from the architectural requirements contained in Section 9.12.040.030.A, provided any such structure does not exceed 120 square feet of projected roof area and is located to the rear and interior side of the main building.
- b. Second ***Accessory dwelling*** units, including porch and/or patio areas and enclosed parking areas dedicated to the ~~second~~ ***accessory dwelling*** unit that are within the maximum area for a ~~second~~ ***accessory dwelling*** unit, shall be exempt from the provisions of this subsection.

SECTION 7: Chapter 5.85 of Title 5 of the Garden Grove Municipal Code is hereby repealed.

SECTION 8: Section 9.52.020 of Chapter 9.52 of Title 9 of the Garden Grove Municipal Code is hereby amended to read as follows (additions in ***bold/italics***, deletions in ~~strike through~~):

- A. Cannabis Dispensaries and Delivery Prohibited. ***Except as exempted in subsection (C) below***, cannabis dispensaries and cannabis delivery are prohibited in all zoning districts, planned unit development districts,

and specific plan areas in the City. It shall be unlawful for any person or entity to own, manage, conduct, or operate any cannabis dispensary or cannabis delivery service or to participate as an employee, contractor, agent or volunteer, or in any other manner or capacity, in any cannabis dispensary or cannabis delivery service in the City of Garden Grove.

- B. Establishment or Maintenance of Cannabis Dispensaries Declared a Public Nuisance. ***Except as exempted in subsection (C) below***, the establishment, maintenance, or operation of a cannabis dispensary or cannabis delivery service as defined in this chapter within the City limits of the City of Garden Grove is declared to be a public nuisance and enforcement action may be taken and penalties assessed pursuant to Title 1, Chapter 1.04 of the Garden Grove Municipal Code, and/or any other law or ordinance that allows for the abatement of public nuisances.
- C. ***Exemptions. Pursuant and subject to Proposition 64 adopted by the State voters in November 2016, this section shall not prohibit (1) the possession, planting, cultivation, harvesting, drying, or processing of up to 6 marijuana plants by persons 21 years of age or older inside a private residence, or inside an accessory structure to a private residence located upon the grounds of a private residence that is fully enclosed and secure; or (2) the possession of or giving away of the marijuana produced by such plants to persons 21 years of age or older.***

SECTION 9: Section 9.52.030 of Chapter 9.52 of Title 9 of the Garden Grove Municipal Code is hereby amended to read as follows (additions in ***bold/italics***, deletions in strike through):

- A. Cannabis Cultivation Prohibited. ***Except as exempted in subsection (C) below***, the cultivation of cannabis and/or the establishment, maintenance or operation of any cannabis cultivation site is prohibited in all zoning districts, planned unit development districts, and specific plan areas in the City.
- B. Establishment or Maintenance of Cannabis Cultivation Site Declared a Public Nuisance. ***Except as exempted in subsection (C) below***, the establishment, maintenance, or operation of a cannabis cultivation site as defined in this chapter within the City limits of the City of Garden Grove is declared to be a public nuisance and enforcement action may be taken and penalties assessed pursuant to Title 1, Chapter 1.04 of the Garden Grove Municipal Code, and/or any other law or ordinance that allows for the abatement of public nuisances.
- C. ***Exemptions. Pursuant and subject to Proposition 64 adopted by the State voters in November 2016, this section shall not***

prohibit the possession, planting, cultivation, harvesting, drying, or processing of up to 6 marijuana plants by persons 21 years of age or older inside a private residence, or inside an accessory structure to a private residence located upon the grounds of a private residence that is fully enclosed and secure.

SECTION 10: The City Council hereby finds that this Ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080.17 and CEQA Guidelines Section 15061(b)(3).

SECTION 11: If any section, subsection, subdivision, sentence, clause, phrase, word, or portion of this Ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, subdivision, sentence, clause, phrase, word, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, words or portions thereof be declared invalid or unconstitutional.

SECTION 12: The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same, or the summary thereof, to be published and posted pursuant to the provisions of law and this Ordinance shall take effect thirty (30) days after adoption.

The foregoing Ordinance was passed by the City Council of the City of Garden Grove on the ____th day of _____ 2017.

ATTEST:

MAYOR

CITY CLERK

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

I, Teresa Pomeroy, City Clerk of the City of Garden Grove, do hereby certify
that the foregoing Ordinance was introduced for first reading and passed to second
reading on _____, 2017, with a vote as follows:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:

and was passed on _____, 2017, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:

CITY CLERK

DRAFT MINUTE EXCERPT
GARDEN GROVE PLANNING COMMISSION

PUBLIC HEARING – AMENDMENT NO. A-017-2017. CITY OF GARDEN GROVE, CITYWIDE.

Applicant: CITY OF GARDEN GROVE
Date: April 20, 2017

Request: A request by the City of Garden Grove to amend portions of Title 9 (Zoning) of the Garden Grove Municipal code, including Chapters 9.04, 9.08 and 9.12 to update the definition, the land use matrix, and special operating conditions for accessory dwelling units to be consistent with state law. Also, an amendment to Chapter 9.52 and repealing Chapter 5.85 of the Garden Grove Municipal Code to maintain the ban on commercial cannabis activities consistent with state law. The project is exempt pursuant to Public Resources Code Section 21080.17 (CEQA does not apply to the adoption of an ordinance by a city or county to implement the provisions of Section 65852.1 or Section 65852.2 of the Government Code) and CEQA Guidelines Section 15061(b)(3) (It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment).

Action: Public Hearing held. Speaker(s): Gilbert Jalomo, Ernesto Estrada, Pedro Estrada, Mike Barker

Action: Resolution No. 5882-17 was approved.

Motion: Lazenby Second: Lehman

Ayes: (7) Brietigam, Kanzler, Lazenby, Lehman, Nguyen, Salazar, Truong

Noes: (0) None

City of Garden Grove

INTER-DEPARTMENT MEMORANDUM

To:	Scott C. Stiles	From:	Lisa L. Kim
Dept.:	City Manager	Dept.:	Community and Economic Development
Subject:	Introduction and first reading of an Ordinance approving Amendment No. A-018-2017 to amend Title 9 of the Municipal Code to update the definitions, operating conditions, and development standards pertaining to crematoriums, mortuaries, funeral homes, and cemeteries.		
		Date:	5/23/2017

OBJECTIVE

To transmit a recommendation from the Planning Commission to the City Council, and to request that the City Council introduce and conduct the first reading of the attached ordinance approving Amendment No. A-018-2017 to update the definitions, operating conditions, and development standards in the City's Land Use Code, pertaining to crematoriums, mortuaries, funeral homes, and cemeteries; and to determine that the Amendment is exempt from the California Environmental Quality Act.

BACKGROUND

In early 2016, the City of Garden Grove received a request to operate a new funeral home, which included an on-site mortuary and crematory, on a property zoned C-2 (Community Commercial) that directly abutted and was in close proximity to single-family homes. Currently, Mortuaries and Crematoriums are deemed permitted uses in the C-2 zone, subject to the approval of a Conditional Use Permit (CUP).

Throughout the Public Hearing process, several members from the public attended the Planning Commission meetings to oppose the project and many testified that the nature of the use makes them and their children uncomfortable, that they are concerned about the potential long-term physical and mental health impacts from residing and/or working in such close proximity to a crematory, that the proximity of the proposed use would interfere with their use and enjoyment of their properties, and that, due to negative public perceptions about living in proximity to a mortuary

and crematory, their property values would decrease if the proposed use was established at the location. Ultimately, the Planning Commission voted unanimously to deny the applicant's request to operate the new funeral home with mortuary and crematory.

Shortly thereafter, the City Council adopted a moratorium (Ordinance Nos. 2869 and 2870) on the issuance of permits or land use entitlements for crematoriums and mortuaries. The intent of the moratorium was to provide additional time for the City to conduct a zoning study, and to process a Zoning Code Amendment to determine the appropriate zoning, development standards, and other proper regulations applicable to mortuaries, crematoriums, funeral homes, and cemeteries to protect the health, safety, and welfare of the community.

A review of the Municipal Code disclosed that the City has a lack of regulations for crematoriums, mortuaries, funeral homes, and cemeteries, which were not a problem when the City previously had larger and predominantly agricultural uses throughout the community. Today, the City is mostly built-out with very few vacant parcels of land, and has become a primarily residential community. The Code needs to be revised to address negative impacts associated with crematoriums, mortuaries, funeral homes, and cemeteries, especially with respect to sensitive uses such as residences, schools, and parks. Some of the negative impacts include fear, concerns about long-term physical and mental health effects, interference with use and enjoyment of residential properties, schools, and parks, and property devaluation arising from the negative public perception pertaining to living in proximity to crematoriums, mortuaries, funeral homes, and cemeteries.

On April 20, 2017, the Planning Commission held a Public Hearing to consider Amendment No. A-018-2017. At the hearing, no one spoke in favor of or in opposition to the proposed Amendment. The Planning Commission voted unanimously (7-0) to adopt Resolution No. 5883-17 and recommended that the City Council adopt Amendment No. A-018-2017 and determine that the Amendment is exempt from the California Environmental Quality Act.

DISCUSSION

Recently, Staff has received inquiries about establishing mortuaries and crematoriums in the City. Current trends in the mortuary and crematory industry show that such businesses may come in the form of a standalone crematorium, a crematorium with an incidental funeral home and/or mortuary, or a funeral home and/or mortuary with no on-site crematorium.

Current terms and definitions in the Municipal Code imply that a crematorium is expected to operate in conjunction with either a church, cemetery, or mortuary. However, today, it is typical for a crematorium to operate as a standalone business, without any on-site incidental services related to a funeral home, mortuary, church, or cemetery. As such, the terms and definitions relating to mortuaries and crematoriums will be updated to reflect that a crematorium may operate as a standalone business and that it may include incidental uses such as a Funeral Home/Mortuary.

The proposed Amendment will identify the zones where new "Crematoriums" and new "Crematoriums with Incidental Funeral Home/Mortuary" will be allowed to operate with a Conditional Use Permit (CUP). Currently, the Municipal Code allows "Mortuaries/Crematoriums" in the C-2 (Community Commercial) zone, subject to the approval of a CUP. However, there are many existing C-2 zoned properties in the City that are within close proximity to sensitive uses such as residences, schools, and parks. This was evident in the case discussed prior, where the subject site, for the proposed funeral home with on-site crematory and mortuary facilities, was zoned C-2 and directly abutted single-family homes. To prevent this type of future occurrence, "Crematoriums" will not be permitted in the C-2 zone. Conversely, many M-1 and M-P zoned properties in the City, where industrial businesses are allowed, are not within close proximity to residences, schools, and parks. As such, any new facility with a Crematorium will only be allowed with a Conditional Use Permit in the C-3 (Heavy Commercial), M-1 (Light Industrial), and M-P (Industrial Park) zones. It should be noted that the Conditional Use Permit process allows the City to review each application individually to evaluate any potential negative impacts and to apply the most appropriate conditions of approval tailored to each project.

The proposed Amendment will further establish Special Operating Conditions and Development Standards applicable to "Crematoriums" and "Crematoriums with Incidental Funeral Home/Mortuary", which include requiring any new crematoriums to maintain a minimum distance of 500 feet to any property boundary of any "O-S" (Open Space) zoned property developed with a school or park, a property boundary of any "R" (Residential) zoned property or any PUD established exclusively for residential use. The 500-foot minimum distance requirement will ensure that sensitive uses such as residences, schools, and parks are protected from any potential negative impacts associated with crematoriums.

Other Special Operating Conditions and Development Standards applicable to "Crematoriums" will include the following:

- That crematoriums are conditionally permitted uses (where a Conditional Use Permit is required) in industrially designated areas within a Planned Unit Development zone, where industrial and manufacturing uses are permitted;
- That any necessary permits, licenses, or other approvals to operate a crematorium, as required by other regulatory agencies, shall be obtained, abided by, and adhered to for the life of the project. Such required permits, licenses, and approvals shall be kept on the premises at all times. This also includes verification of periodic inspection notices and approvals by the regulatory agencies;
- And that any Conditional Use Permit approved crematorium that is found to be in violation of or is noncompliant with its Conditions of Approval, or is found to be in violation with any regulations established by other regulatory agencies, or has its permit(s), license(s), or other approval(s) issued by other regulatory agencies, suspended or revoked, or for any other reason deemed reasonably necessary by the City, may have its CUP reviewed by the Planning Commission.

Most funeral home establishments in the Orange County area do not provide on-site cremation services. Funeral homes typically contract out cremation services and the cremations are performed at an off-site crematory facility typically found in industrial areas away from residences, schools, and parks. To account for this type of business activity, "Funeral Home/Mortuary with No Crematorium" will be added as a permitted use to the Municipal Code with a stipulation that any new funeral home/mortuary, with no on-site crematorium, shall maintain a minimum distance of 250 feet of a property boundary of any "R" (Residential) zoned property or any Planned Unit Development established exclusively for residential use.

Finally, the definition of "Cemeteries" will be modified to clarify that cemeteries may include columbaria and that no crematorium, funeral home, or mortuary services are permitted on-site.

The proposed Amendment will establish new parking standards for each of the business types discussed tonight. The new parking standards are mindful of and take into consideration the respective business activities that occur on-site. Any uses that involve the operation of a funeral home/mortuary will have specific parking requirements to account for seating in viewing rooms which typically involve an assembly or group of persons gathering for such events. A use, such as a standalone crematorium, with no on-site funeral home/mortuary activities, will be treated as and parked similar to an industrial business.

FINANCIAL IMPACT

No fiscal impact to the City regarding this proposed Amendment.

RECOMMENDATION

It is recommended that the City Council:

- Conduct a Public Hearing;
- Determine that the Ordinance is categorically exempt from the California Environmental Quality Act pursuant to Title 14, California Code of Regulations, Section 15061(b)(3);
- Introduce and conduct the first reading of the attached Ordinance approving Amendment No. A-018-2017 to amend Title 9 of the Municipal Code to update the definitions, operating conditions, and development standards in the City's Land Use Code, pertaining to crematoriums, mortuaries, funeral homes, and cemeteries.

By: Chris Chung, Associate Planner

ATTACHMENTS:

Description	Upload Date	Type	File Name
Planning Commission Staff Report dated April 20, 2017	5/1/2017	Cover Memo	Planning_Commission_Staff_Report_dated_April_20__2017.docx
Planning Commission Resolution No. 5883-17	5/1/2017	Cover Memo	Planning_Commission_Resolution_No._5883-17.doc
Planning Commission Minute Excerpt of April 20, 2017	5/1/2017	Cover Memo	Planning_Commission_Minute_Excerpt_of_April_20__2017.docx
City Council Ordinance for Amendment No. A-018-2017	5/18/2017	Ordinance	5-23-17_Amendment_No.pdf

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

AGENDA ITEM NO.: C.2.	SITE LOCATION: Citywide
HEARING DATE: April 20, 2017	GENERAL PLAN: N/A
CASE NO.: Amendment No. A-018-2017	ZONE: N/A
APPLICANT: City of Garden Grove	
OWNER: N/A	CEQA DETERMINATION: Exempt

REQUEST:

A request for Planning Commission recommendation to the City Council to approve Amendment No. A-018-2017, which includes City-initiated zoning text amendments to Chapters 9.04 (Definitions), 9.16 (Commercial, Office Professional, Industrial, and Open Space Development Standards), and 9.18 (Mixed Use Regulations and Development Standards) of Title 9 of the Municipal Code to update the definitions, operating conditions, and development standards in the City's Land Use Code, pertaining to crematoriums, mortuaries, funeral homes, and cemeteries. Pursuant to the proposed Amendment, changes include, but are not limited to, the following: (i) establish a minimum 500-foot distance requirement from any new "Crematoriums" or "Crematoriums with Incidental Funeral Home/Mortuary" use to a property boundary of any "O-S" (Open Space) zoned property developed with a school or park, or to a property boundary of any "R" (Residential) zoned property or any PUD (Planned Unit Development) established exclusively for residential use; (ii) remove "Crematoriums" as a conditionally permitted use in the C-2 (Community Commercial) zone; (iii) add "Crematoriums" as a conditionally permitted use in the M-1 (Light Industrial) and M-P (Industrial Park) zones; (iv) add "Crematoriums with Incidental Funeral Home/Mortuary" as a conditionally permitted use in the C-3 (Heavy Commercial), M-1, and M-P zones; (v) add "Funeral Home/Mortuary with No Crematorium" as an automatically permitted use in the C-2, C-3, and A-R (Adaptive Reuse) zones with a minimum 250-foot distance requirement to a property boundary of any "R" (Residential) zoned property or any PUD established exclusively for residential use; (vi) prohibit crematorium or funeral home/mortuary services or activities for "Cemetery" uses; and (vii) establish minimum parking requirements for "Crematorium", "Crematorium with Incidental Funeral Home/Mortuary", and "Funeral Home/Mortuary with No Crematorium" uses.

BACKGROUND:

In early 2016, the City of Garden Grove received a request, Conditional Use Permit No. CUP-073-2016, to operate a new funeral home, within an existing approximately 19,460 square foot office building, which included a mortuary and crematory*. The subject property, located at 13272 Garden Grove Boulevard, is zoned C-2 (Community Commercial), and directly abuts, and is located within close

* "Crematory" is another term for "Crematorium"

proximity to single-family homes. Mortuaries and crematoriums are permitted uses in the C-2 zone, subject to the approval of a Conditional Use Permit.

On June 2, 2016, the Planning Commission conducted a public hearing and took testimony from the applicant and numerous interested members of the public. Staff provided a report and recommended the Commission adopt a Resolution adopting a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and approving Conditional Use Permit No. CUP-073-2016. The applicant, a representative of the manufacturer of the cremation equipment, and a real estate broker testified in favor of the application. The environmental consultant, who prepared the initial study, also testified and answered questions posed by the Commissioners. Approximately 36 members of the public testified in opposition to the application. Several members of the public testified that, due to its proximity to single-family residences and other sensitive uses, the proposed funeral home with a mortuary and crematory would be an inappropriate use at the proposed location. Several residents of the adjacent residential neighborhood testified that the nature of the use makes them and their children uncomfortable, that they are concerned about the potential long-term physical and mental health impacts from residing and/or working in such close proximity to a crematory, that the proximity of the proposed use would interfere with their use and enjoyment of their properties, and that, due to negative public perceptions about living in proximity to a mortuary and crematory, their property values would decrease if the proposed use was established at this location.

Six (6) Commissioners were present at the June 2, 2016 meeting, and a motion to adopt the proposed Resolution of Approval failed to garner the affirmative vote of a majority of the Commissioners present. The Commission ultimately voted to continue the public hearing to the June 16, 2016 Planning Commission meeting in an effort to have all seven (7) Planning Commissioners present to consider and vote on the item and directed Staff to prepare alternative draft Resolutions of Approval and Denial for its consideration.

Pursuant to the direction of the Planning Commission, Staff prepared an alternative draft Resolution of Denial based on facts presented by members of the public at the public hearing on June 2, 2016, for the Commission's consideration along with the original proposed Resolution of Approval. On June 16, 2016, the Planning Commission held a continued public hearing. Approximately 29 members of the public testified in opposition to the application, citing similar reasons mentioned at the prior Planning Commission meeting on June 2, 2016. Five (5) persons spoke in favor of the request. Ultimately, the Planning Commission voted unanimously to adopt Resolution of Denial No. 5863-16, denying the applicant's request to operate the new funeral home with mortuary and crematory. Subsequent to the 21-day appeal period, the applicant decided not to appeal the case to the City Council for its consideration.

Following the Planning Commission's denial of CUP-073-2016, in July of 2016, the City Council adopted Urgency Ordinance No. 2869 imposing a 45-day moratorium on the issuance of permits or land use entitlements for crematoriums and/or mortuaries. Shortly thereafter, in August of 2016, the City Council adopted

Urgency Ordinance No. 2870 authorizing a ten (10) month and fifteen (15) day extension of Urgency Ordinance No. 2869. The intent of the moratorium was to provide additional time for the City to thoroughly review and evaluate the issues giving rise to Urgency Ordinance No. 2869, to conduct a zoning study, and process a Zoning Code Amendment to determine the appropriate zoning, development standards, and other proper regulations applicable to mortuaries, crematoriums, funeral homes, and cemeteries to protect the health, safety, and welfare of the community.

A review of the Municipal Code ("Code") disclosed that the City has a lack of regulations for crematoriums, mortuaries, funeral homes, and cemeteries, which were not a problem when the City previously had larger and predominantly agricultural uses throughout the community. Today, the City is mostly built-out with very few vacant parcels of land, and has become a primarily residential community. The Code needs to be revised to address negative impacts associated with crematoriums, mortuaries, funeral homes, and cemeteries, especially with respect to sensitive uses such as residences, schools, and parks. Some of the negative impacts include fear, concerns about long-term physical and mental health effects, interference with use and enjoyment of residential properties, schools, and parks, and property devaluation arising from the negative public perception pertaining to living in proximity to crematoriums, mortuaries, funeral homes, and cemeteries.

DISCUSSION:

The following discussion presents proposed amendments to the Municipal Code to address negative impacts associated with crematoriums, mortuaries, funeral homes, and cemeteries. The proposed amendments will ensure the Municipal Code is updated, and includes appropriate development standards and regulations for crematoriums, mortuaries, funeral homes, and cemeteries. The new standards and regulations will reflect the current makeup and environment of the Garden Grove community, which has changed significantly since the City was incorporated in 1956.

Recently, the City has received inquiries about establishing mortuaries and/or crematoriums in the City. Current trends in the mortuary and crematory industry show that such businesses may come in the form of a standalone crematorium, a crematorium with incidental funeral home/mortuary, or a funeral home/mortuary with no crematorium.

Crematoriums:

Currently, the Municipal Code lists "Mortuaries/Crematoriums" as a combined use and defines them as "establishments primarily engaged in the provision of services involving the care, preparation or disposition of human dead other than in cemeteries." Furthermore, the Municipal Code also lists a separate definition for "Crematory," which is defined as "a facility where human remains are reduced to ashes in a furnace and are incidental to a church, cemetery, or mortuary." These terms and definitions imply that a crematorium always operates in conjunction with

either a church, cemetery, or mortuary. However, current trends in the mortuary and crematory industry show that a crematorium *may* operate as a standalone business, without any on-site incidental services related to a funeral home (for viewing purposes), mortuary (for temporary storage of human dead), church, or cemetery. As such, the title of "Mortuaries/Crematoriums" will be modified to "Crematoriums." Furthermore, the definition of "Mortuaries/Crematoriums" will be deleted and replaced by a new definition for "Crematoriums", which will read as follows: "means facilities where human or animal remains are reduced to ashes in a furnace and may include incidental uses such as a Funeral Home/Mortuary."

The proposed Amendment will identify the zones where new "Crematoriums" will be allowed with a Conditional Use Permit. Said zones will include C-3 (Heavy Commercial), M-1 (Light Industrial), and M-P (Industrial Park). Currently, the Municipal Code allows "Mortuaries/Crematoriums" in the C-2 (Community Commercial) zone. However, there are many existing C-2 zoned properties in the City that are within close proximity to sensitive uses such as residences, schools, and parks. This was evident in the prior denied case of Conditional Use Permit No. CUP-073-2016, where the subject site, for the proposed funeral home with on-site crematory and mortuary facilities, was zoned C-2 and directly abutted single-family homes. To prevent this type of future occurrence, "Crematoriums" will not be permitted in the C-2 zone. Conversely, many M-1 and M-P zoned properties in the City, where industrial businesses are allowed, are not within close proximity to residences, schools, and parks.

The proposed amendment to the Land Use Matrix is as follows (Deletions shown in ~~strikethrough~~, additions shown in ***bold-italics***):

Table 1 **CITY OF GARDEN GROVE LAND USE MATRIX**

COMMERCIAL							
Other Services	O-P	C-1	C-2	C-3	M-1	M-P	O-S
Mortuaries/Crematoriums	-	-	€	P* <i>C*</i>	<i>C*</i>	<i>C*</i>	-

The proposed Amendment will further establish Special Operating Conditions and Development Standards applicable to "Crematoriums" which include requiring any new crematoriums to maintain a minimum distance of 500 feet to any property boundary of any "O-S" (Open Space) zoned property developed with a school or park, a property boundary of any "R" (Residential) zoned property or any PUD established exclusively for residential use. The 500-foot minimum distance requirement will ensure that sensitive uses such as residences, schools, and parks are protected from any potential negative impacts associated with crematoriums. Other Special Operating Conditions and Development Standards applicable to "Crematoriums" will include the following:

- Crematoriums are conditionally permitted uses (Conditional Use Permit required) in industrially designated areas within a PUD (Planned Unit Development) zone, where industrial and manufacturing uses are permitted to ensure compatibility between the proposed crematorium and other existing uses in the surrounding areas.

- Any necessary permits, licenses, or other approvals to operate a crematorium, as required by other regulatory agencies, shall be obtained, abided by, and adhered to for the life of the project. Such required permits, licenses, and approvals shall be kept on the premises at all times. This also includes verification of periodic inspection notices and approvals by the regulatory agencies.
- Any CUP (Conditional Use Permit) approved crematorium that is found to be in violation of or is noncompliant with its Conditions of Approval, or is found to be in violation with any regulations established by other regulatory agencies, or has its permit(s), license(s), or other approval(s) issued by other regulatory agencies, suspended or revoked, or for any other reason deemed reasonably necessary by the City, may have its CUP reviewed by the Planning Commission.

Crematoriums with Incidental Funeral Home/Mortuary:

The City has received inquiries to establish Crematoriums with an incidental Funeral Home/Mortuary on-site. This was evident in the prior denied case of Conditional Use Permit No. CUP-073-2016, where the applicant proposed to operate a funeral home with on-site crematory and mortuary facilities. To address this type of business activity and its impacts, a new use, "Crematoriums with Incidental Funeral Home/Mortuary", will be added to the "Table 1 City of Garden Grove Land Use Matrix" and the proposed Amendment will identify the zones where new "Crematoriums with Incidental Funeral Home/Mortuary" will be allowed with a Conditional Use Permit. Said zones will include C-3 (Heavy Commercial), M-1 (Light Industrial), and M-P (Industrial Park).

The new use will be added as follows (Additions shown in ***bold-italics***):

Table 1 **CITY OF GARDEN GROVE LAND USE MATRIX**

COMMERCIAL							
Other Services	O-P	C-1	C-2	C-3	M-1	M-P	O-S
<i>Crematoriums with Incidental Funeral Home/Mortuary</i>	-	-	-	<i>C*</i>	<i>C*</i>	<i>C*</i>	-

A new definition for "Crematoriums with Incidental Funeral Home/Mortuary" will be added to the Municipal Code which will read as follows: "means establishments primarily engaged in the provision of services involving the viewing, care, preparation or management of human dead prior to burial or cremation. The Funeral Home/Mortuary is incidental to an on-site crematory facility and may include related and incidental business activities, which include a florist, gift shop, and casket sales. See "Crematorium" definition."

The proposed Amendment will establish Special Operating Conditions and Development Standards applicable to "Crematoriums with Incidental Funeral Home/Mortuary", which include requiring any new crematoriums with an incidental funeral home/mortuary to maintain a minimum distance of 500 feet to any property boundary of any "O-S" (Open Space) zoned property developed with a school or

park, a property boundary of any "R" (Residential) zoned property or any PUD established exclusively for residential use. The 500-foot minimum distance requirement will ensure that sensitive uses such as residences, schools, and parks are protected from any potential negative impacts associated with crematoriums with an incidental funeral home/mortuary. Other Special Operating Conditions and Development Standards applicable to "Crematoriums" will include the following:

- Crematoriums with Incidental Funeral Home/Mortuary are conditionally permitted uses (Conditional Use Permit required) in industrially designated areas within a PUD (Planned Unit Development) zone, where industrial and manufacturing uses are permitted to ensure compatibility between the proposed crematorium and other existing uses in the surrounding areas.
- Any necessary permits, licenses, or other approvals to operate a crematorium, as required by other regulatory agencies, shall be properly obtained, abided by, and adhered to for the life of the project. Such required permits, licenses, and approvals shall be kept on the premises at all times. This also includes verification of periodic inspection notices and approvals by the regulatory agencies.
- Any CUP (Conditional Use Permit) approved crematorium that is found to be in violation of or is noncompliant with its Conditions of Approval, or is found to be in violation with any regulations established by other regulatory agencies, or has its permit(s), license(s), or other approval(s) issued by other regulatory agencies, suspended or revoked, or for any other reason deemed reasonably necessary by the City, may have its CUP reviewed by the Planning Commission.

Funeral Home/Mortuary with No Crematorium:

The City has received inquiries to establish a funeral home/mortuary with no on-site crematorium. To address this type of business activity and its impacts, a new use, "Funeral Home/Mortuary with No Crematorium", will be added to the "Table 1 City of Garden Grove Land Use Matrix" and the "Table 9.18-1 Use Regulation for the Mixed Use Zones" land use matrix as follows (Additions shown in ***bold-italics***):

Table 1 **CITY OF GARDEN GROVE LAND USE MATRIX**

COMMERCIAL							
Other Services	O-P	C-1	C-2	C-3	M-1	M-P	O-S
<i>Funeral Home/Mortuary with No Crematorium</i>	-	-	<i>P*</i>	<i>P*</i>	-	-	-

Table 9.18-1 **Use Regulations for the Mixed Use Zones**

Other Services	GGM U-1,- 2,-3	CC-1	CC-2	CC-3	CC- OS	NMU	AR
<i>Funeral Home/Mortuary with No Crematorium</i>	-	-	-	-	-	-	<i>P*</i>

A new definition for "Funeral Home/Mortuary with No Crematorium" will be added to the Municipal Code which will read as follows: "means an establishment primarily engaged in the provision of services involving the viewing, care, preparation or management of human dead prior to burial or cremation. The Funeral Home/Mortuary may include related and incidental business activities, which include a florist, gift shop, and casket sales. No crematorium services or activities are permitted on-site."

Most funeral home establishments in the Orange County area do not provide on-site cremation services. Funeral homes typically contract out cremation services and the cremations are performed at an off-site crematory facility usually found in industrial areas away from residences, schools, and parks.

The proposed Amendment will establish a Special Operating Condition and Development Standard applicable to a "Funeral Home/Mortuary with No Crematorium", which includes requiring any new funeral home/mortuary with no crematorium to maintain a minimum distance of 250 feet of a property boundary of any "R" (Residential) zoned property or any PUD established exclusively for residential use. The 250-foot minimum distance requirement will ensure that sensitive uses such as residences, schools, and parks are not subjected to potential negative impacts such as fear, interference with use and enjoyment of residential properties, schools, and parks, and property devaluation arising from the negative public perception pertaining to living in proximity to a "Funeral Home/Mortuary with No Crematorium."

Cemeteries:

Currently, "Cemeteries" are only permitted in the O-S (Open Space) zone as a Conditional/Incidental (C/I) use. "Cemeteries" will no longer be permitted as an incidental use in the O-S zone, and only as a Conditional Use (requiring a Conditional Use Permit). The Conditional Use Permit process allows the City to review each application individually to evaluate any potential negative impacts and to apply the most appropriate conditions of approval tailored to the proposed project.

The Land Use Matrix will be revised as follows (Deletions shown in ~~strikethrough~~, additions shown in ***bold-italics***):

Table 1 **CITY OF GARDEN GROVE LAND USE MATRIX**

COMMERCIAL							
Other Services	O-P	C-1	C-2	C-3	M-1	M-P	O-S
Cemeteries <i>Cemetery</i>	-	-	-	-	-	-	<i>C/I</i>

Furthermore, the definition of "Cemetery" will be modified as follows (Deletions shown in ~~strikethrough~~, additions shown in ***bold-italics***)

..."means a land used or intended to be used for the burial of human and/or pet remains and dedicated for cemetery purposes. Cemeteries ***may*** include business and administrative offices, chapels, flower shops, mausoleums ***and columbaria*** as

an incidental uses, and necessary maintenance facilities. **No crematorium or funeral home/mortuary services or activities are permitted on-site."**

Finally, a new definition for "Columbarium" will be added to the Municipal Code which will read as follows: "means a sepulchral vault or other structure(s) with recesses in the interior walls to receive the ashes of the dead."

Parking:

The proposed Amendment will establish new parking standards for "Crematoriums", "Crematoriums with Incidental Funeral Home/Mortuary", and "Funeral Home/Mortuary with No Crematorium" uses.

The Table in Section 9.16.040.150 (Parking Spaces Required) of Section 9.16.040 (Commercial/Office, Industrial Development Standards) of Chapter 9.16 (Commercial, Office Professional, Industrial, and Open Space Development Standards) of Title 9 of the Municipal Code is to be amended as follows to include parking requirements for a "Crematorium", a "Crematorium with Incidental Funeral Home/Mortuary", and a "Funeral Home/Mortuary with No Crematorium" (Additions shown in ***bold-italics***):

USE	REQUIRED MINIMUM PARKING SPACES
B. Commercial Uses	
14. Funeral Home/Mortuary with No Crematorium	
<i>Fixed seats in viewing room(s):</i>	<i>1 space per each 3 fixed seats in area(s) designated for assembly purposes</i>
<i>No fixed seats in viewing room(s):</i>	<i>1 space for each 21 sq. ft. of area designated for assembly purposes</i>
	<i>All usable ancillary area(s) shall provide 1 space for each 250 sq. ft. of gross floor area</i>
D. Industrial Uses	
3. Crematorium	
<i>a. Buildings less than 20,000 sq. ft. of gross floor area</i>	<i>2.25 spaces per 1,000 sq. ft. of gross floor area</i>
<i>b. Buildings 20,001 to 100,000 sq. ft. of gross floor area</i>	<i>2 spaces per 1,000 sq. ft. of gross floor area</i>
<i>c. Buildings over 100,000 sq. ft. of gross floor area</i>	<i>1 space per 1,000 sq. ft. of gross floor area</i>
d. Incidental office	
<i>i. Under 30% of gross floor area</i>	<i>No additional requirements</i>
<i>i. 30 to 50% of gross floor area of a building</i>	<i>1 space per 250 sq. ft. of gross floor area</i>
4. Crematorium with Incidental Funeral Home/Mortuary	
<i>Fixed seats in viewing room(s):</i>	<i>1 space per each 3 fixed seats in area(s) designated for assembly purposes</i>
<i>No fixed seats in viewing room(s):</i>	<i>1 space for each 21 sq. ft. of area designated for assembly purposes</i>
	<i>All usable ancillary area(s) shall provide 1 space for each 250 sq. ft. of gross floor area</i>

The Table in Section 9.18.140.030 (Parking Spaces Required) of Section 9.18.140 (Parking) of Chapter 9.18 (Mixed Use Regulations and Development Standards) of Title 9 of the Municipal Code is to be amended as follows to include parking requirements for a "Funeral Home/Mortuary with No Crematorium" (Additions shown in ***bold-italics***):

**Table 9.18-11
Required Parking Spaces**

Use	Required Minimum Parking Spaces
Commercial Uses	
<i>Funeral Home/Mortuary with No Crematorium</i>	
<i>Fixed seats in viewing room(s):</i>	<i>1 space per each 3 fixed seats in area(s) designated for assembly purposes</i>
<i>No fixed seats in viewing room(s):</i>	<i>1 space for each 21 sq. ft. of area designated for assembly purposes</i>
	<i>All usable ancillary area(s) shall provide 1 space for each 250 sq. ft. of gross floor area</i>

RECOMMENDATION:

Staff recommends that the Planning Commission:

1. Adopt the proposed Resolution recommending approval of Amendment No. A-018-2017 to the City Council.

LEE MARINO
Planning Services Manager

By: Chris Chung
Associate Planner

RESOLUTION NO. 5883-17

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE RECOMMENDING THAT THE CITY COUNCIL APPROVE AMENDMENT NO. A-018-2017, TO AMEND PORTIONS OF CHAPTERS 9.04 (DEFINITIONS), 9.16 (COMMERCIAL, OFFICE PROFESSIONAL, INDUSTRIAL, AND OPEN SPACE DEVELOPMENT STANDARDS), AND 9.18 (MIXED USE REGULATIONS AND DEVELOPMENT STANDARDS) OF TITLE 9 OF THE CITY OF GARDEN GROVE MUNICIPAL CODE TO UPDATE THE DEFINITIONS, OPERATING CONDITIONS, AND DEVELOPMENT STANDARDS IN THE CITY'S LAND USE CODE, PERTAINING TO CREMATORIALS, MORTUARIES, FUNERAL HOMES, AND CEMETERIES.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on April 20, 2017, does hereby recommend that the City Council approve Amendment No. A-018-2017 and adopt the draft Ordinance attached hereto as Exhibit "A".

BE IT FURTHER RESOLVED in the matter of Amendment No. A-018-2017, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The case was initiated by the City of Garden Grove.
2. The City of Garden Grove is proposing a zoning text amendment to portions of Chapters 9.04 (Definitions), 9.16 (Commercial, Office Professional, Industrial, and Open Space Development Standards), and 9.18 (Mixed Use Regulations and Development Standards) of Title 9 of the City of Garden Grove Municipal Code to update the definitions, operating conditions, and development standards in the City's Land Use Code, pertaining to crematoriums, mortuaries, funeral homes, and cemeteries.
3. The Planning Commission recommends the City Council find that the proposed amendment is not subject to the California Environmental Quality Act ("CEQA"; Cal. Pub. Resources Code Section 21000 et seq.) pursuant to Section 15061(b)(3) of the State CEQA Guidelines (Cal. Code of Regs., Title 14, Section 15000 et seq.) because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.
4. Pursuant to legal notice, a public hearing was held on April 20, 2017, and all interested persons were given an opportunity to be heard.
5. Report submitted by City staff was reviewed.
6. The Planning Commission gave due and careful consideration to the matter during its meeting of April 20, 2017; and

BE IT FURTHER RESOLVED, FOUND AND DETERMINED that the facts and reasons supporting the conclusion of the Planning Commission are as follows:

FACTS:

Pursuant to the proposed Amendment, changes include, but are not limited to, the following: (i) establish a minimum 500-foot distance requirement from any new "Crematoriums" or "Crematoriums with Incidental Funeral Home/Mortuary" use to a property boundary of any "O-S" (Open Space) zoned property developed with a school or park, or to a property boundary of any "R" (Residential) zoned property or any PUD (Planned Unit Development) established exclusively for residential use; (ii) remove "Crematoriums" as a conditionally permitted use in the C-2 (Community Commercial) zone; (iii) add "Crematoriums" as a conditionally permitted use in the M-1 (Light Industrial) and M-P (Industrial Park) zones; (iv) add "Crematoriums with Incidental Funeral Home/Mortuary" as a conditionally permitted use in the C-3 (Heavy Commercial), M-1, and M-P zones; (v) add "Funeral Home/Mortuary with No Crematorium" as an automatically permitted use in the C-2, C-3, and A-R (Adaptive Reuse) zones with a minimum 250-foot distance requirement to a property boundary of any "R" (Residential) zoned property or any PUD established exclusively for residential use; (vi) prohibit crematorium or funeral home/mortuary services or activities for "Cemetery" uses; and (vii) establish minimum parking requirements for "Crematorium", "Crematorium with Incidental Funeral Home/Mortuary", and "Funeral Home/Mortuary with No Crematorium" uses.

In early 2016, the City of Garden Grove received a request, Conditional Use Permit No. CUP-073-2016, to operate a new funeral home, within an existing approximately 19,460 square foot office building, which included a mortuary and crematory*. The subject property, located at 13272 Garden Grove Boulevard, is zoned C-2 (Community Commercial), and directly abuts and is located within close proximity to single-family homes. Mortuaries and crematoriums are permitted uses in the C-2 zone, subject to the approval of a Conditional Use Permit.

On June 2, 2016, the Planning Commission conducted a public hearing and took testimony from the applicant and numerous interested members of the public. Staff provided a report and recommended the Commission adopt a Resolution adopting a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and approving Conditional Use Permit No. CUP-073-2016. The applicant, a representative of the manufacturer of the cremation equipment, and a real estate broker testified in favor of the application. The environmental consultant who prepared the initial study also testified and answered questions posed by the Commissioners. Approximately 36 members of the public testified in opposition to the application. Several members of the public testified that, due to its proximity to single-family residences and other sensitive uses, the proposed funeral home with a mortuary and crematory would be an inappropriate use at the proposed location. Several residents of the adjacent residential neighborhood testified that the nature

* "Crematory" is another term for "Crematorium"

of the use makes them and their children uncomfortable, that they are concerned about the potential long-term physical and mental health impacts from residing and/or working in such close proximity to a crematory, that the proximity of the proposed use would interfere with their use and enjoyment of their properties, and that, due to negative public perceptions about living in proximity to a mortuary and crematory, their property values would decrease if the proposed use was established at this location.

Six (6) Commissioners were present at the June 2, 2016 meeting, and a motion to adopt the proposed Resolution of Approval failed to garner the affirmative vote of a majority of the Commissioners present. The Commission ultimately voted to continue the public hearing to the June 16, 2016 Planning Commission meeting in an effort to have all seven (7) Planning Commissioners present to consider and vote on the item and directed Staff to prepare alternative draft Resolutions of Approval and Denial for its consideration.

Pursuant to the direction of the Planning Commission, Staff prepared an alternative draft Resolution of Denial based on facts presented by members of the public at the public hearing on June 2, 2016, for the Commission's consideration along with the original proposed Resolution of Approval. On June 16, 2016, the Planning Commission held a continued public hearing. Approximately 29 members of the public testified in opposition to the application, citing similar reasons mentioned at the prior Planning Commission meeting on June 2, 2016. Five (5) persons spoke in favor of the request. Ultimately, the Planning Commission voted unanimously to adopt Resolution of Denial No. 5863-16, denying the applicant's request to operate the new funeral home with mortuary and crematory. Subsequent to the 21-day appeal period, the applicant decided not to appeal the case to the City Council for its consideration.

Following the Planning Commission's denial of CUP-073-2016, in July of 2016, the City Council adopted Urgency Ordinance No. 2869 imposing a 45-day moratorium on the issuance of permits or land use entitlements for crematoriums and/or mortuaries. Shortly thereafter, in August of 2016, the City Council adopted Urgency Ordinance No. 2870 authorizing a ten (10) month and fifteen (15) day extension of Urgency Ordinance No. 2869. The intent of the moratorium was to provide additional time for the City to thoroughly review and evaluate the issues giving rise to Urgency Ordinance No. 2869, to conduct a zoning study, and process a Zoning Code Amendment to determine the appropriate zoning, development standards, and other proper regulations applicable to mortuaries, crematoriums, funeral homes, and cemeteries to protect the health, safety, and welfare of the community.

A review of the Municipal Code ("Code") disclosed that the City has a lack of regulations for crematoriums, mortuaries, funeral homes, and cemeteries, which were not a problem when the City previously had larger and predominantly

agricultural uses throughout the community. Today, the City is mostly built-out with very few vacant parcels of land, and has become a primarily residential community. The City has determined that the Code needs to be revised to address negative impacts associated with crematoriums, mortuaries, funeral homes, and cemeteries, especially with respect to sensitive uses such as residences, schools, and parks. Some of the negative impacts include fear, concerns about long-term physical and mental health effects, interference with use and enjoyment of residential properties, schools, and parks, and property devaluation arising from the negative public perception pertaining to living in proximity to crematoriums, mortuaries, funeral homes, and cemeteries.

FINDINGS AND REASONS:

1. The Amendment is internally consistent with the goals, objectives and elements of the City's General Plan.

Pursuant to the proposed Amendment, changes include, but are not limited to, the following: (i) establish a minimum 500-foot distance requirement from any new "Crematoriums" or "Crematoriums with Incidental Funeral Home/Mortuary" use to a property boundary of any "O-S" (Open Space) zoned property developed with a school or park, or to a property boundary of any "R" (Residential) zoned property or any PUD (Planned Unit Development) established exclusively for residential use; (ii) remove "Crematoriums" as a conditionally permitted use in the C-2 (Community Commercial) zone; (iii) add "Crematoriums" as a conditionally permitted use in the M-1 (Light Industrial) and M-P (Industrial Park) zones; (iv) add "Crematoriums with Incidental Funeral Home/Mortuary" as a conditionally permitted use in the C-3 (Heavy Commercial), M-1, and M-P zones; (v) add "Funeral Home/Mortuary with No Crematorium" as an automatically permitted use in the C-2, C-3, and A-R (Adaptive Reuse) zones with a minimum 250-foot distance requirement to a property boundary of any "R" (Residential) zoned property or any PUD established exclusively for residential use; (vi) prohibit crematorium or funeral home/mortuary services or activities for "Cemetery" uses; and (vii) establish minimum parking requirements for "Crematorium", "Crematorium with Incidental Funeral Home/Mortuary", and "Funeral Home/Mortuary with No Crematorium" uses.

The General Plan has goals and policies that address neighborhood preservation and land use compatibility.

Goal LU-2.1 of the General Plan directs the City to protect residential areas from the effects of potentially incompatible uses and to maintain standards for buffer areas to ensure compatibility between the uses.

Goal LU-2.3 of the General Plan directs the City to prohibit uses that may adversely impact the safety of a residential neighborhood.

Goal LU-4.4 of the General Plan directs the City to avoid intrusion of non-residential uses that are incompatible with existing neighborhoods.

Goal LU-4.5 of the General Plan directs the City of Garden Grove to require that commercial and industrial developments adjoining residential uses be adequately buffered from residential areas.

Goal LU-4.8 of the General Plan directs the City to ensure that minimum allowable distances are maintained between land uses defined as sensitive to their presence, which may include residences, schools, and parks.

The proposed Amendment is internally consistent with the goals, policies, and elements of the General Plan, by ensuring compatibility with sensitive uses such as residences, schools, and parks by limiting facilities with crematoriums, funeral homes, and/or mortuaries to the proposed respective zones, requiring Conditional Use Permit approval when applicable, and imposing specified operational conditions and development standards, which include minimum distance requirements to sensitive uses.

2. The Amendment will promote the public interest, health, safety and welfare.

Pursuant to the proposed Amendment, changes include, but are not limited to, the following: (i) establish a minimum 500-foot distance requirement from any new "Crematoriums" or "Crematoriums with Incidental Funeral Home/Mortuary" use to a property boundary of any "O-S" (Open Space) zoned property developed with a school or park, or to a property boundary of any "R" (Residential) zoned property or any PUD (Planned Unit Development) established exclusively for residential use; (ii) remove "Crematoriums" as a conditionally permitted use in the C-2 (Community Commercial) zone; (iii) add "Crematoriums" as a conditionally permitted use in the M-1 (Light Industrial) and M-P (Industrial Park) zones; (iv) add "Crematoriums with Incidental Funeral Home/Mortuary" as a conditionally permitted use in the C-3 (Heavy Commercial), M-1, and M-P zones; (v) add "Funeral Home/Mortuary with No Crematorium" as an automatically permitted use in the C-2, C-3, and A-R (Adaptive Reuse) zones with a minimum 250-foot distance requirement to a property boundary of any "R" (Residential) zoned property or any PUD established exclusively for residential use; (vi) prohibit crematorium or funeral home/mortuary services or activities for "Cemetery" uses; and (vii) establish minimum parking requirements for "Crematorium", "Crematorium with Incidental Funeral Home/Mortuary", and "Funeral Home/Mortuary with No Crematorium" uses. The zoning and development standards proposed in this Amendment, promote the public interest, health, safety, and welfare and will ensure that crematorium, mortuary, funeral home, and cemetery related uses do not cause a nuisance to sensitive uses such as residences, schools, and parks.

INCORPORATION OF FACTS AND FINDINGS SET FORTH IN STAFF REPORT:

In addition to the foregoing the Planning Commission incorporates herein by this reference, the facts and reasons set forth in the staff report.

BE IT FURTHER RESOLVED that the Planning Commission does conclude:

1. Amendment No. A-018-2017 possesses characteristics that would indicate justification of the request in accordance with Municipal Code Section 9.32.030.D.1 (Code Amendment).
2. The Planning Commission recommends that the City Council approve Amendment No. A-018-2017 and adopt the draft Ordinance attached hereto as Exhibit "A".

Adopted this 20th day of April, 2017

ATTEST:

/s/ ANDREW KANZLER
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 April 20, 2017, by the following vote:

AYES:	COMMISSIONERS:	(7)	BRIETIGAM, KANZLER, LAZENBY, LEHMAN, NGUYEN, SALAZAR, TRUONG
NOES:	COMMISSIONERS:	(0)	NONE

/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 May 11, 2017.

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

Meeting Minutes Excerpt
Thursday, April 20, 2017

CALL TO ORDER: 7:00 p.m.

ROLL CALL:

Chair Kanzler
Vice Chair Brietigam
Commissioner Lazenby
Commissioner Lehman
Commissioner Nguyen
Commissioner Salazar
Commissioner Truong

Absent: None.

PUBLIC HEARING – AMENDMENT NO. A-018-2017. CITY OF GARDEN GROVE, CITYWIDE.

Applicant: CITY OF GARDEN GROVE
Date: April 20, 2017

Request: A request by the City of Garden Grove for the adoption of zoning text amendments to Chapters 9.04 (Definitions), 9.16 (Commercial, Office Professional, Industrial, and Open Space Development Standards), and 9.18 (Mixed Use Regulations and Development Standards) of Title 9 of the Municipal Code to update the definitions, operating conditions, and development standards in the City's Land Use Code, pertaining to crematoriums, mortuaries, funeral homes, and cemeteries. Pursuant to the proposed Amendment, changes include, but are not limited to, the following: (i) establish a minimum 500-foot distance requirement from any new "Crematoriums" or "Crematoriums with Incidental Funeral Home/Mortuary" use to a property boundary of any "O-S" (Open Space) zoned property, or to a property boundary of any "R" (Residential) zoned property or any PUD (Planned Unit Development) established exclusively for residential use; (ii) remove "Crematoriums" as a conditionally permitted use in the C-2 (Community Commercial) zone; (iii) add "Crematoriums" as a conditionally permitted use in the M-1 (Light Industrial) and M-P (Industrial Park) zones; (iv) add "Crematoriums with Incidental Funeral Home/Mortuary" as a conditionally permitted use in the C-3 (Heavy Commercial), M-1, and M-P zones; (v) add "Funeral Home/Mortuary with No Crematorium" as an automatically permitted use in the C-2, C-3, and A-R (Adaptive

Reuse) zones with a minimum 250-foot distance requirement to a property boundary of any "R" (Residential) zoned property or any PUD established exclusively for residential use; (vi) prohibit crematorium or funeral home/mortuary services or activities for "Cemetery" uses; and (vii) establish minimum parking requirements for "Crematorium", "Crematorium with Incidental Funeral Home/Mortuary", and "Funeral Home/Mortuary with No Crematorium" uses. The project is exempt pursuant to CEQA Guidelines Section 15061(b)(3) (It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment).

Action: Public Hearing held. Speaker(s): None.

Action: Resolution No. 5883-17 was approved.

Motion: Salazar Second: Lazenby

Ayes: (7) Brietigam, Kanzler, Lazenby, Lehman, Nguyen,
Salazar, Truong

Noes: (0) None

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING AMENDMENT NO. A-018-2017, A ZONING TEXT AMENDMENT TO PORTIONS OF CHAPTERS 9.04, 9.16, AND 9.18 OF TITLE 9 OF THE GARDEN GROVE MUNICIPAL CODE PERTAINING TO CREMATORIALS, MORTUARIES, FUNERAL HOMES, AND CEMETERIES

City Attorney Summary

This Ordinance approves text amendments to portions of Chapters 9.04 (Definitions), 9.16 (Commercial, Office Professional, Industrial, and Open Space Development Standards), and 9.18 (Mixed Use Regulations and Development Standards) of Title 9 of the Garden Grove Municipal Code to update the definitions, operating conditions, and development standards in the City's Land Use Code, pertaining to crematoriums, mortuaries, funeral homes, and cemeteries.

THE CITY COUNCIL OF THE CITY OF GARDEN GROVE FINDS AND DETERMINES AS FOLLOWS:

WHEREAS, Amendment No. A-018-2017 was initiated by the City of Garden Grove and is a zoning text amendment to portions of Chapters 9.04 (Definitions), 9.16 (Commercial, Office Professional, Industrial, and Open Space Development Standards), and 9.18 (Mixed Use Regulations and Development Standards) of Title 9 of the Garden Grove Municipal Code pertaining to crematoriums, mortuaries, funeral homes, and cemeteries;

WHEREAS, following a Public Hearing held on April 20, 2017, the Planning Commission adopted Resolution No. 5883-17 recommending approval of Amendment No. A-018-2017;

WHEREAS, pursuant to a legal notice, a Public Hearing regarding the proposed adoption of this Ordinance was held by the City Council on May 23, 2017, and all interested persons were given an opportunity to be heard;

WHEREAS, the City Council gave due and careful consideration to the matter; and

WHEREAS, the City Council hereby makes the following findings regarding Amendment No. A-018-2017:

A. Pursuant to the proposed Amendment, changes include, but are not limited to, the following: (i) establish a minimum 500-foot distance requirement from any new "Crematoriums" or "Crematoriums with Incidental Funeral Home/Mortuary" use to a property boundary of any "O-S" (Open Space) zoned property developed with a school or park, or to a property boundary of any "R" (Residential) zoned

property or any PUD (Planned Unit Development) established exclusively for residential use; (ii) remove "Crematoriums" as a conditionally permitted use in the C-2 (Community Commercial) zone; (iii) add "Crematoriums" as a conditionally permitted use in the M-1 (Light Industrial) and M-P (Industrial Park) zones; (iv) add "Crematoriums with Incidental Funeral Home/Mortuary" as a conditionally permitted use in the C-3 (Heavy Commercial), M-1, and M-P zones; (v) add "Funeral Home/Mortuary with No Crematorium" as an automatically permitted use in the C-2, C-3, and A-R (Adaptive Reuse) zones with a minimum 250-foot distance requirement to a property boundary of any "R" (Residential) zoned property or any PUD established exclusively for residential use; (vi) prohibit crematorium or funeral home/mortuary services or activities for "Cemetery" uses; and (vii) establish minimum parking requirements for "Crematorium", "Crematorium with Incidental Funeral Home/Mortuary", and "Funeral Home/Mortuary with No Crematorium" uses.

The General Plan has goals and policies that address neighborhood preservation and land use compatibility.

Goal LU-2.1 of the General Plan directs the City to protect residential areas from the effects of potentially incompatible uses and to maintain standards for buffer areas to ensure compatibility between the uses.

Goal LU-2.3 of the General Plan directs the City to prohibit uses that may adversely impact the safety of a residential neighborhood.

Goal LU-4.4 of the General Plan directs the City to avoid intrusion of non-residential uses that are incompatible with existing neighborhoods.

Goal LU-4.5 of the General Plan directs the City of Garden Grove to require that commercial and industrial developments adjoining residential uses be adequately buffered from residential areas.

Goal LU-4.8 of the General Plan directs the City to ensure that minimum allowable distances are maintained between land uses defined as sensitive to their presence, which may include residences, schools, and parks.

The proposed Amendment is internally consistent with the goals, policies, and elements of the General Plan, by ensuring compatibility with sensitive uses such as residences, schools, and parks by limiting facilities with crematoriums, funeral homes, and/or mortuaries to the proposed respective zones, requiring Conditional Use Permit approval when applicable, and imposing specified operational conditions and development standards, which include minimum distance requirements to sensitive uses.

B. Pursuant to the proposed Amendment, changes include, but are not limited to, the following: (i) establish a minimum 500 foot distance requirement from any new "Crematoriums" or "Crematoriums with Incidental Funeral Home/Mortuary" use to a property boundary of any "O-S" (Open Space) zoned property developed with a school or park, or to a property boundary of any "R" (Residential) zoned

property or any PUD (Planned Unit Development) established exclusively for residential use; (ii) remove "Crematoriums" as a conditionally permitted use in the C-2 (Community Commercial) zone; (iii) add "Crematoriums" as a conditionally permitted use in the M-1 (Light Industrial) and M-P (Industrial Park) zones; (iv) add "Crematoriums with Incidental Funeral Home/Mortuary" as a conditionally permitted use in the C-3 (Heavy Commercial), M-1, and M-P zones; (v) add "Funeral Home/Mortuary with No Crematorium" as an automatically permitted use in the C-2, C-3, and A-R (Adaptive Reuse) zones with a minimum 250-foot distance requirement to a property boundary of any "R" (Residential) zoned property or any PUD established exclusively for residential use; (vi) prohibit crematorium or funeral home/mortuary services or activities for "Cemetery" uses; and (vii) establish minimum parking requirements for "Crematorium", "Crematorium with Incidental Funeral Home/Mortuary", and "Funeral Home/Mortuary with No Crematorium" uses. The zoning and development standards, proposed in this Amendment, promote the public interest, health, safety, and welfare and will ensure that crematorium, mortuary, funeral home, and cemetery related uses do not cause a nuisance to sensitive uses such as residences, schools, and parks.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDEN GROVE DOES ORDAIN AS FOLLOWS:

SECTION 1: The above recitals are true and correct.

SECTION 2: The City Council finds that the proposed Ordinance is not subject to the California Environmental Quality Act ("CEQA"; Cal. Pub. Resources Code Section 21000 et seq.) pursuant to Section 15061(b)(3) of the State CEQA Guidelines (Cal. Code of Regs., Title 14, Section 15000 et seq.) because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

SECTION 3: Amendment No. A-018-2017 is hereby approved pursuant to the findings set forth herein and the facts and reasons stated in Planning Commission Resolution No. 5883-17, a copy of which is on file in the Office of the City Clerk, and which is incorporated herein by reference with the same force and effect as if set forth in full.

SECTION 4: Subdivision C of Section 9.04.060 (Definitions) of Chapter 9.04 (General Provision) of Title 9 of the Garden Grove Municipal Code is hereby amended as follows to: (i) remove "Mortuaries" from the title of "Mortuaries/Crematoriums" and modify its definition; (ii) modify the definition of "Crematory"*; (iii) add the definition of "Crematoriums with Incidental Funeral Home/Mortuary"; (iv) add the definition of "Funeral Home/Mortuary with No Crematorium"; (v) modify the title of "Cemeteries" to "Cemetery" and modify its definition; and (vi) add the definition of "Columbarium" (deletions shown in ~~strikethrough~~, additions shown in ***bold-italics***):

~~"Mortuaries/Crematoriums"~~ means ***facilities where human or animal remains are reduced to ashes in a furnace and may include incidental uses such as a Funeral Home/Mortuary*** establishments primarily engaged

* "Crematory" is another term for "Crematorium"

~~in the provision of services involving the care, preparation or disposition of human dead other than in cemeteries.~~

~~"Crematory" see "Crematorium." means a facility where human remains are reduced to ashes in a furnace and are incidental to a church, cemetery, or mortuary.~~

"Crematoriums with Incidental Funeral Home/Mortuary" means establishments primarily engaged in the provision of services involving the viewing, care, preparation or management of human dead prior to burial or cremation. The Funeral Home/Mortuary is incidental to an on-site crematory facility and may include related and incidental business activities, which include a florist, gift shop, and casket sales. See "Crematorium" definition.

"Funeral Home/Mortuary with No Crematorium" means an establishment primarily engaged in the provision of services involving the viewing, care, preparation or management of human dead prior to burial or cremation. The Funeral Home/Mortuary may include related and incidental business activities, which include a florist, gift shop, and casket sales. No crematorium services or activities are permitted on-site.

~~"Cemeteries"~~***Cemetery*** means a land used or intended to be used for the burial of human and/or pet remains and dedicated for cemetery purposes. Cemeteries ***may*** include business and administrative offices, chapels, flower shops, mausoleums ***and columbaria*** as ~~an~~ incidental uses, and necessary maintenance facilities. ***No crematorium or funeral home/mortuary services or activities are permitted on-site.***

"Columbarium" means a sepulchral vault or other structure(s) with recesses in the interior walls to receive the ashes of the dead.

SECTION 5: Table 1, "City of Garden Grove Land Use Matrix" in Section 9.16.020.030 (Uses Permitted) of Chapter 9.16 (Commercial, Office Professional, Industrial, and Open Space Development Standards) of Title 9 of the Garden Grove Municipal Code is hereby amended as follows to: (i) remove "Mortuaries" from the title of "Mortuaries/Crematoriums"; (ii) remove "Crematoriums" as a conditionally permitted use in the C-2 zone; (iii) change "Crematoriums" from an automatically permitted use in the C-3 zone, to a conditionally permitted use, subject to Special Operating Conditions and Development Standards, in the C-3 zone; (iv) add "Crematoriums" as a conditionally permitted use, subject to Special Operating Conditions and Development Standards, in the M-1 and M-P zones; (v) add "Crematoriums with Incidental Funeral Home/Mortuary" as a conditionally permitted use, subject to Special Operating Conditions and Development Standards, in the C-3, M-1, and M-P zones; add "Funeral Home/Mortuary with No Crematorium" as an automatically permitted use, subject to Special Operating Conditions and Development Standards, in the C-2 and C-3 zones; (vi) remove "Crematory/Mausoleum"; (vii)

modify the title of "Cemeteries" to "Cemetery"; and (viii) change "Cemetery" from a Conditional/Incidental (C/I) use to a conditionally permitted use (deletions shown in ~~strikethrough~~, additions shown in ***bold-italics***):

Table 1 **CITY OF GARDEN GROVE LAND USE MATRIX**

COMMERCIAL							
Other Services	O-P	C-1	C-2	C-3	M-1	M-P	O-S
Mortuaries/Crematoriums	-	-	€	P* C*	C*	C*	-

COMMERCIAL							
Other Services	O-P	C-1	C-2	C-3	M-1	M-P	O-S
<i>Crematoriums with Incidental Funeral Home/Mortuary</i>	-	-	-	C*	C*	C*	-

COMMERCIAL							
Other Services	O-P	C-1	C-2	C-3	M-1	M-P	O-S
<i>Funeral Home/Mortuary with No Crematorium</i>	-	-	<i>P*</i>	<i>P*</i>	-	-	-
COMMERCIAL							
Other Services	O-P	C-1	C-2	C-3	M-1	M-P	O-S
Cemeteries <i>Cemetery</i>	-	-	-	-	-	-	C/I

SECTION 6: Table 9.18-1, "Use Regulations for the Mixed Use Zones" in Section 9.18.020 (Uses Permitted) of Chapter 9.18 (Mixed Use Regulations and Development Standards) of Title 9 of the Garden Grove Municipal Code is hereby amended as follows to add "Funeral Home/Mortuary with No Crematorium" as an automatically permitted use, subject to Special Operating Conditions and Development Standards, in the A-R zone (deletions shown in ~~strikethrough~~, additions shown in ***bold-italics***):

Table 9.18-1 **Use Regulations for the Mixed Use Zones**

Other Services	GGM U-1,-2,-3	CC-1	CC-2	CC-3	CC-OS	NMU	AR
<i>Funeral Home/Mortuary with No Crematorium</i>	-	-	-	-	-	-	<i>P*</i>

SECTION 7: Subdivisions N, O, and AD of Section 9.16.020.050 (Special Operating Conditions and Development Standards) of Section 9.16.020 (Permitted Uses in Commercial, Office Professional, Industrial, and Open Space) of Chapter 9.16 (Commercial, Office Professional, Industrial, and Open Space Development Standards) of Title 9 of the Garden Grove Municipal Code are hereby amended as follows to: (i) establish Special Operating Conditions and Development Standards for "Crematoriums"; (ii) establish Special Operating Conditions and Development Standards for "Crematoriums with Incidental Funeral Home/Mortuary"; and (iii) establish Special Operating Conditions and Development Standards for a "Funeral Home/Mortuary with No Crematorium" (deletions shown in ~~strikethrough~~, additions shown in ***bold-italics***):

N. Crematoriums. Subject to the following conditions:

- 1. Properties with crematoriums shall not be permitted to be located within 500 feet of a property boundary of any "O-S" (Open Space) zoned property developed with a school or park, a property boundary of any "R" (Residential) zoned property or any PUD established exclusively for residential use. This provision applies to human and animal crematoriums.**
- 2. Crematoriums are conditionally permitted uses (Conditional Use Permit required) in industrially designated areas within a PUD (Planned Unit Development) zone, where industrial and manufacturing uses are permitted to ensure compatibility between the proposed crematorium and other existing uses in the surrounding areas.**
- 3. Any necessary permits, licenses, or other approvals to operate a crematorium, as required by other regulatory agencies, shall be obtained, abided by, and adhered to for the life of the project. Such required permits, licenses, and approvals shall be kept on the premises at all times. This also includes verification of periodic inspection notices and approvals by the regulatory agencies.**
- 4. Any CUP (Conditional Use Permit) approved crematorium that is found to be in violation of or is noncompliant with its Conditions of Approval, or is found to be in violation with any regulations established by other regulatory agencies, or has its permit(s), license(s), or other approval(s) issued by other regulatory agencies, suspended or revoked, or for any other reason deemed reasonably necessary by the City, may have its CUP reviewed by the Planning Commission.**

O. Crematoriums with Incidental Funeral Home/Mortuary. Subject to the following conditions:

- 1. Properties with crematoriums shall not be permitted to be located within 500 feet of a property boundary of any "O-S" (Open Space) zoned property developed with a school or park, a property boundary of any "R" (Residential) zoned property or any PUD established exclusively for residential use. This provision applies to human and animal crematoriums.**
- 2. Crematoriums with Incidental Funeral Home/Mortuary are conditionally permitted uses (Conditional Use Permit required) in industrially designated areas within a PUD**

(Planned Unit Development) zone, where industrial and manufacturing uses are permitted to ensure compatibility between the proposed crematorium and other existing uses in the surrounding areas.

- 3. Any necessary permits, licenses, or other approvals to operate a crematorium, as required by other regulatory agencies, shall be properly obtained, abided by, and adhered to for the life of the project. Such required permits, licenses, and approvals shall be kept on the premises at all times. This also includes verification of periodic inspection notices and approvals by the regulatory agencies.***
- 4. Any CUP (Conditional Use Permit) approved crematorium that is found to be in violation of or is noncompliant with its Conditions of Approval, or is found to be in violation with any regulations established by other regulatory agencies, or has its permit(s), license(s), or other approval(s) issued by other regulatory agencies, suspended or revoked, or for any other reason deemed reasonably necessary by the City, may have its CUP reviewed by the Planning Commission.***

AD. Funeral Home/Mortuary with No Crematorium. Subject to the following conditions:

- 1. Properties with Funeral Homes/Mortuaries with No Crematorium shall not be permitted to be located within 250 feet of a property boundary of any "R" (Residential) zoned property or any PUD established exclusively for residential use.***

SECTION 8: Subdivision 9.18.030.195 is hereby added to Section 9.18.030 (Specific Uses - Special Operating Conditions and Development Standards) of Chapter 9.18 (Mixed Use Regulations and Development Standards) of Title 9 of the Garden Grove Municipal Code is hereby amended as follows to establish Special Operating Conditions and Development Standards for a "Funeral Home/Mortuary with No Crematorium" (deletions shown in ~~striketrough~~, additions shown in ***bold-italics***):

9.18.030.195. Funeral Home/Mortuary with No Crematorium. Such uses shall be subject to the following conditions:

- A. Properties with Funeral Homes/Mortuaries with No Crematorium shall not be permitted to be located within 250 feet of a property boundary of any "R" (Residential) zoned property or any PUD established exclusively for residential use.***

SECTION 9: The Table in Section 9.16.040.150 (Parking Spaces Required) of Section 9.16.040 (Commercial/Office, Industrial Development Standards) of Chapter

9.16 (Commercial, Office Professional, Industrial, and Open Space Development Standards) of Title 9 of the Garden Grove Municipal Code is hereby amended as follows to establish parking requirements for a "Crematorium", a "Crematorium with Incidental Funeral Home/Mortuary", and a "Funeral Home/Mortuary with No Crematorium" (deletions shown in ~~strikethrough~~, additions shown in ***bold-italics***):

USE	REQUIRED MINIMUM PARKING SPACES
B. Commercial Uses	
14. Funeral Home/Mortuary with No Crematorium	
<i>Fixed seats in viewing room(s):</i>	<i>1 space per each 3 fixed seats in area(s) designated for assembly purposes</i>
<i>No fixed seats in viewing room(s):</i>	<i>1 space for each 21 sq. ft. of area designated for assembly purposes</i>
	<i>All usable ancillary area(s) shall provide 1 space for each 250 sq. ft. of gross floor area</i>
D. Industrial Uses	
3. Crematorium	
<i>a. Buildings less than 20,000 sq. ft. of gross floor area</i>	<i>2.25 spaces per 1,000 sq. ft. of gross floor area</i>
<i>b. Buildings 20,001 to 100,000 sq. ft. of gross floor area</i>	<i>2 spaces per 1,000 sq. ft. of gross floor area</i>
<i>c. Buildings over 100,000 sq. ft. of gross floor area</i>	<i>1 space per 1,000 sq. ft. of gross floor area</i>
<i>d. Incidental office</i>	
<i>i. Under 30% of gross floor area</i>	<i>No additional requirements</i>
<i>i. 30 to 50% of gross floor area of a building</i>	<i>1 space per 250 sq. ft. of gross floor area</i>
4. Crematorium with Incidental Funeral Home/Mortuary	
<i>Fixed seats in viewing room(s):</i>	<i>1 space per each 3 fixed seats in area(s) designated for assembly purposes</i>
<i>No fixed seats in viewing room(s):</i>	<i>1 space for each 21 sq. ft. of area designated for assembly purposes</i>
	<i>All usable ancillary area(s) shall provide 1 space for each 250 sq. ft. of gross floor area</i>

SECTION 10: Table 9.18-11 entitled "Required Parking Spaces" of Section 9.18.140.030 (Parking Spaces Required) of Section 9.18.140 (Parking) of Chapter 9.18 (Mixed Use Regulations and Development Standards) of Title 9 of the Garden Grove Municipal Code is hereby amended as follows to establish parking requirements for a "Funeral Home/Mortuary with No Crematorium" (deletions shown in ~~strikethrough~~, additions shown in ***bold-italics***)

**Table 9.18-11
Required Parking Spaces**

Use	Required Minimum Parking Spaces
Commercial Uses	
<i>Funeral Home/Mortuary with No Crematorium</i>	

<i>Fixed seats in viewing room(s):</i>	<i>1 space per each 3 fixed seats in area(s) designated for assembly purposes</i>
<i>No fixed seats in viewing room(s):</i>	<i>1 space for each 21 sq. ft. of area designated for assembly purposes</i>
	<i>All usable ancillary area(s) shall provide 1 space for each 250 sq. ft. of gross floor area</i>

SECTION 11: Any land use constituting a “Crematoriums”, “Crematoriums with Incidental Funeral Home/Mortuary”, or “Funeral Home/Mortuary with No Crematorium” use, as defined in Section 4 of this Ordinance, that was legally established and operating with a valid business license, and all other required City permits or approvals prior to the effective date of this Ordinance, and that is made nonconforming by this Ordinance because no approved Conditional Use Permit for the use exists, the use is not located in a zoning district in which such a use is permitted pursuant to the provisions adopted or amended by this Ordinance, and/or the use does not comply with locational restrictions or development standards adopted or amended pursuant to this Ordinance, shall be considered a nonconforming use subject to the provisions of Chapter 9.36 (Nonconformities) of Title 9 of the Garden Grove Municipal Code.

SECTION 12: If any section, subsection, subdivision, sentence, clause, phrase, word, or portion of this Ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, subdivision, sentence, clause, phrase, word, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, words or portions thereof be declared invalid or unconstitutional.

SECTION 13: The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same, or the summary thereof, to be published and posted pursuant to the provisions of law and this Ordinance shall take effect thirty (30) days after adoption.

City of Garden Grove

INTER-DEPARTMENT MEMORANDUM

To: Scott C. Stiles From: Charles D. Kalil

Dept.: City Manager Dept.: Information Technology

Subject: Award of a 60-month lease and maintenance contract to So Cal Office Technologies for 27 multi-function copiers. (Cost: \$644,869.55) (*Action Item*) Date: 5/23/2017

OBJECTIVE

For the City Council to award a 60-month lease and maintenance contract to So Cal Office Technologies ("So Cal") for 27 Xerox multi-function copiers.

BACKGROUND

The City is currently operating under a lease and maintenance agreement for multi-function copiers that will terminate on June 24, 2017. Based on age and usage, these machines are increasingly requiring service and experiencing downtime. Staff researched and determined that current technology could provide increased functionality with reduced costs. On January 11, 2017, the City issued a Request for Proposal - RFP S-1207 ("RFP") for 27 multi-function copiers with scanning, faxing, network printing service and other improved functionalities. Eleven bids were received that met the RFP specifications.

DISCUSSION

A source selection committee (SSC) of five members evaluated the RFP responses based on weighted criteria of Price (40%), Project Plan (30%) and Qualifications of the Proposer (30%). The SSC then performed site visits and viewed product demonstrations by the top four vendors, which are listed below. Upon completion of the site visits, the SSC scored these top four vendors again based on the original criteria and determined that So Cal offered the proposal that best met all of the City's requirements.

RFP S-1207 (Copiers)	So Cal Office Technologies	Sharp Business Systems	Xerox Corporation	Ricoh
TOTALS	4705	4205	3990	3785

--	--	--	--	--

In addition to product quality and pricing, customer service and ability of vendors to deliver their proposal were considered. Referrals for vendors were contacted, and the vendors' market presence and reputation were researched.

Xerox is an industry leader in copier innovation. By quality and design, these copiers offer additional functionality that will improve productivity and reduce costs. Some of the new capabilities include providing color printing options to all locations, wireless printing from mobile devices, OCR for scanning to searchable PDFs, duplex color scanning on all devices and faster printing speeds. So Cal has proposed a 60-month lease and maintenance agreement including all supplies for \$128,973.91 per year. Their proposal includes delivery, installation, training and a \$1 buy out option for each copier at the end of the lease. As part of the installation process, So Cal will also uninstall and remove the existing fleet of copiers.

FINANCIAL IMPACT

The current annual lease and maintenance cost for the City's copier fleet is \$155,765.14. So Cal's proposed annual cost is \$128,973.91. Total cost of the agreement will be \$644,869.55, representing a savings of nearly \$134,000 over the 60 month agreement period. The funds for this agreement are normal operating expenses submitted as part of the annual Information Technology budget.

RECOMMENDATION

It is recommended that the City Council:

- Award a 60-month lease and maintenance contract to So Cal Office Technologies for 27 Xerox multi-function copiers in the amount of \$644,869.55; and
- Authorize the City Manager to sign the lease and maintenance contract on behalf of the City, and make minor modifications as appropriate thereto.

By: Keith Winston, Senior Information Technology Analyst

City of Garden Grove

INTER-DEPARTMENT MEMORANDUM

To:	Scott C. Stiles	From:	Todd D. Elgin
Dept.:	City Manager's Office	Dept.:	Police
Subject:	Approval of the First Amendment to the Agreement with the County of Orange to provide forensic services. (Cost: \$525,153) (<i>Action Item</i>)	Date:	5/23/2017

OBJECTIVE

To secure City Council approval of an Agreement with the County of Orange to provide forensic services for the City.

BACKGROUND

Since 1996, the City has contracted with the County for forensic services. The Orange County Crime Lab provides these services and is the only local forensic lab that can provide all the forensic services required by the City of Garden Grove.

Historically, we have had five year agreements with the County of Orange. Fiscal Year 2015-16 was the final year of our current contract, and Fiscal Year 2017-18 will be the second year of the new five year agreement.

To summarize our Fiscal Year 2017-18 contract with the Crime Lab, the City is paying for the following level of service:

- One (1) Lead Forensic Specialist (2096 Hours)
- One (1) Forensic Scientist III (2096 Hours)
- One (1) Forensic Specialist (2096 Hours)
- Aggregate Overtime (140 Hours)

The County reimburses the City the cost of all unused overtime.

The Crime Lab provides all supplies and film processing directly related to services performed by their personnel under the terms of this agreement.

DISCUSSION

The current contract agreement with the County of Orange for forensic services expires on June 30, 2017. As recommended by the Police Department and pursuant to Garden Grove Municipal Code Section 2.50.060(d), the Finance Director has determined that the County of Orange is the only provider of forensic services available.

DNA is leading technology for gathering forensic evidence and solving crimes. Having a Forensic Scientist assigned to Garden Grove for DNA casework has dramatically reduced the time to obtain Crime Lab results, which has made the Detective Unit more effective. The Police Department is very satisfied with the level of service from the Sheriff's Crime Lab.

FINANCIAL IMPACT

The full cost of providing the foregoing level of service for Fiscal Year 2017-18 is estimated to be \$525,153. This is an increase of \$58,960 from the current fiscal year cost of \$466,496.

RECOMMENDATION

It is recommended that the City Council:

- Approve the amendment to the agreement with the County of Orange to provide forensics services to the City, in the amount of \$525,153, for Fiscal Year 2017-18; and
- Authorize the Mayor to execute the agreement on behalf of the City.

By: Lieutenant Bob Bogue, Support Services Bureau, Investigations

ATTACHMENTS:

Description	Upload Date	Type	File Name
OC Sheriff's Dept - Agreement	5/16/2017	Backup Material	OC_Sheriffs_Dept_Agreement.pdf

**FIRST AMENDMENT TO AGREEMENT
BETWEEN THE
CITY OF GARDEN GROVE
AND THE
COUNTY OF ORANGE**

THIS FIRST AMENDMENT TO AGREEMENT is entered into this First day of May 2017, which date is enumerated for purposes of reference only, by and between the CITY OF GARDEN GROVE, hereinafter referred to as "CITY", and the COUNTY OF ORANGE, a political subdivision of the State of California, hereinafter referred to as "COUNTY" to amend, effective July 1, 2017, that certain Agreement between the parties commencing on July 1, 2016, hereinafter referred to as "Agreement".

1. For the period of July 1, 2017 through June 30, 2018, Subsection E-2 of the Agreement is amended to read as follows:

"E-2. The cost of regular services, equipment and supplies provided by COUNTY, for the period July 1, 2017 through June 30, 2018 shall be as follows:

<u>SERVICE</u>	<u>COST OF SERVICE</u>
Personnel Costs:	
• One (1) Lead Forensic Specialist	\$ 163,327
• One (1) Forensic Scientist III	\$ 218,273
• One (1) Forensic Specialist	\$ 132,496
• Aggregate Overtime	\$ 11,057
TOTAL COST	<u>\$ 525,153</u>

//
//
//
//

//

2. For the period July 1, 2017 to June 30, 2018, Subsection E-2 of the Agreement is amended to read as follows:

"E-3. COUNTY shall invoice CITY monthly. Said invoices will require payment by City of one-twelfth (1/12) of the cost for services referenced in paragraph E-2 of this Agreement.

The overtime hours included in the Agreement are only an estimate. SHERIFF shall notify CITY of actual overtime worked during each fiscal year. If actual overtime worked is less than the budgeted amount, SHERIFF shall provide a credit to the CITY. Prior to working overtime which will exceed the annual budget, SHERIFF shall advise CITY of anticipated hours over budget and receive CITY's concurrence to pay additional cost. CHIEF OF POLICE for CITY is authorized to provide concurrence to pay for the increased amount for overtime at the same overtime billing rate in effect at the time the hours were worked.

3. For the period July 1, 2017 to June 30, 2018, Subsection E-7 of the Agreement is amended to read as follows:

"E-7. At the time this Amendment is executed, there are unresolved issues pertaining to potential increases or decreases in salaries and benefits for COUNTY employees. The cost of such potential increases or decreases are not included in the Fiscal Year 2017-18 costs set forth in Subsection E-2 of this Agreement. If COUNTY incurs or becomes obligated to pay for any such increases for or on account of personnel whose costs are included in the calculations of costs charged to CITY hereunder, CITY shall pay COUNTY, in addition to the cost of service set forth in Subsection E-2 of this Agreement, the full costs of said increases to the extent such increases are attributable to work performed by such personnel after July 1, 2017, and CITY's cost of service hereunder shall be deemed to have increased

accordingly. CITY shall pay COUNTY in full for such increases on a pro-rata basis over the portion of the period between July 1, 2017 and June 30, 2018 remaining after COUNTY notifies CITY that increases are payable.

In the event that salaries and benefits costs for COUNTY employees decrease for or on account of personnel whose costs are included in the calculations of costs charged to CITY hereunder, COUNTY shall notify CITY of decreased cost and bill accordingly.”

4. All other provisions of the Agreement to the extent that they are not in conflict with this FIRST AMENDMENT TO AGREEMENT, remain unchanged.

//

//

//

//

//

//

//

//

//

//

//

//

//

//

//

//

///

//

//

//

IN WITNESS WHEREOF, the parties have executed the FIRST
AMENDMENT TO AGREEMENT in the County of Orange, State of California.

DATED: _____

CITY OF GARDEN GROVE

ATTEST: _____
City Clerk

BY: _____
Mayor

APPROVED AS TO FORM:

BY: *Omar Sandoval*
City Attorney

BY: *Tom DeGi*
Chief of Police

DATED: _____

COUNTY OF ORANGE

BY: _____
Sheriff-Coroner

APPROVED AS TO FORM:
Office of the County Counsel
Orange County, California

BY: *Nicole Adams*
Deputy

DATED: *4/12/17*

City of Garden Grove

INTER-DEPARTMENT MEMORANDUM

To:	Mayor and Members of the City Council	From:	Omar Sandoval
Dept.:	City Council	Dept.:	City Attorney
Subject:	Adoption of a Resolution opposing State Assembly Bill 22 as requested by the City Council. (<i>Action Item</i>)	Date:	5/23/2017

BACKGROUND

Existing law provides that it shall be sufficient cause for the dismissal of any public employee when such public employee advocates or is knowingly a member of the Communist Party or of an organization which during the time of his membership he knows advocates overthrow of the Government of the United States or of any state by force or violence. However, Assembly Bill 22 (AB22) was introduced in the State Assembly in December 2016, which would remove all references to the Communist Party and would no longer allow a public employee to be fired for being a member of the Communist Party.

At the regular Council Meeting on May 9, 2017, Council Member Klopfenstein moved the Council to agendize the adoption of a resolution opposing the passage of AB22. Mayor Pro Tem Bui seconded the motion and the Council approved consideration of the resolution at its May 23 meeting by unanimous vote.

DISCUSSION

Council Member Klopfenstein and Mayor Pro Tem Bui collaborated in the preparation of the attached resolution opposing the passage of AB22, which also urges the Governor to veto it should the Legislature pass it. Additionally, late Wednesday afternoon, on May 17, 2017, the Orange County Register reported that the bill's author, Assemblyman Bonta, announced that he was shelving the bill and apologized to veterans and people who fled the communist regime in Vietnam.

FINANCIAL IMPACT

None.

RECOMMENDATION

It is recommended that the City Council:

- Consider the attached Council Policy Resolution.

ATTACHMENTS:

Description	Upload Date	Type	File Name
Resolution	5/17/2017	Resolution Letter	2017_RESOLUTION_OPPOSING_AB22- STATE_EMPLOYEE_COMMUNIST_PARTY_AFFILIATION- rev.docx

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
GARDEN GROVE, OPPOSING ASSEMBLY BILL 22, WHICH
WOULD ALLOW COMMUNIST PARTY MEMBERS TO WORK
FOR THE STATE GOVERNMENT.**

WHEREAS, existing law provides that it shall be sufficient cause for the dismissal of any public employee when such public employee advocates or is knowingly a member of the Communist Party or of an organization which during the time of his membership he knows advocates overthrow of the Government of the United States or of any state by force or violence; and

WHEREAS, Assembly Bill 22 (AB22) introduced in the Assembly in December 2016 would remove all references to the Communist Party and would no longer allow a public employee to be fired for being a member of the Communist Party; and

WHEREAS, Communism views all property as being public property and effectively there is no personal property or items held by individuals, including individual civil rights to freedom of religion, freedom of speech, and freedom of the press; and

WHEREAS, Communism as an economic and political doctrine requires that a central government own and decide all matters of civic life; and

WHEREAS, Communism rejects and abolishes all religions founded on the worship of any deity or multiple deities and demands allegiance by individuals to a central government ruled by a single Communist Party; and

WHEREAS, the United States of America was founded on the ideal that all people are endowed with unalienable rights to life, liberty and the pursuit of happiness; and

WHEREAS, the United States Constitution guarantees freedom of religion, freedom of speech, freedom of the press and the right of the people peaceably to assemble and to petition the government for a redress of grievances; and

WHEREAS, the City of Garden Grove respects the rights of all its residents to engage in religious activity, free speech, political activity, to lawfully assemble, and to exercise all their constitutional rights to life and property; and

WHEREAS, Communism contravenes and is incompatible with the Constitution of the United States of America and the California Constitution; and

WHEREAS, American veterans and California natives and residents fought to defend the very freedoms we in the United States of America and the State of California hold so very dearly, in the Korean War from 1950 to 1953 when Communist North Korea invaded South Korea with the assistance of Communist China and the then

Soviet Union, and in the Vietnam War peaking in 1968 and ending in 1975 also with the assistance of Communist China, the Soviet Union and other Communist nations; and

WHEREAS, remaining Communist countries in the world such as North Korea and the communist Socialist Republic of Vietnam remain emblems and reminders of dictatorship and tyranny; and

WHEREAS, refugees and immigrants from the former Republic of Vietnam came to the United States and settled as free Vietnamese Americans who are honored and remembered for their sacrifices for freedom and human rights and for their ongoing contributions to our democratic society; and

WHEREAS, since 1975, the City of Garden Grove has become home to one of the largest Vietnamese-American populations in the United States, and the local Vietnamese-American community has become a significant factor in the rich cultural diversity enjoyed by the residents of the entire community; and

WHEREAS, the Vietnamese-American community in the city attests to the consistent violations of human rights and religious freedom imposed by the communist Socialist Republic of Vietnam by imprisonment of many intellectuals, bloggers, writers, and doctors who have raised concerns regarding human rights in communist Vietnam; and

WHEREAS, United States veterans who fought against communism and the overwhelming majority of the Vietnamese-Americans who fled Vietnam do not recognize or condone a communist regime or the Communist Party; and

WHEREAS, many California residents, including many residents of Garden Grove who escaped Communist Vietnam, still bear the painful scars of having lived under Communist regimes.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GARDEN GROVE THAT:

SECTION 1. The City Council of the City of Garden Grove opposes communism and the Communist Party and urges the State Legislature to join the City and continue to equally oppose communism.

SECTION 2. The City Council opposes the passage of AB 22 and urges the State Legislature to reject it and the Governor to veto its passage.

SECTION 3. The City Clerk shall attest to the passage of this resolution and the City shall forward it to members of the State Legislature and the Governor.

City of Garden Grove

INTER-DEPARTMENT MEMORANDUM

To:	Scott C. Stiles	From:	Tom Schultz
Dept.:	City Manager	Dept.:	Fire
Subject:	Discussion regarding proposed service augmentations to the City's paramedic program as requested by City Manager Stiles.	Date:	5/23/2017

OBJECTIVE

To provide the City Council with updated information regarding proposed service augmentations to the City's paramedic program, the ongoing cost requirements of the program and the limitations of funding provided via the paramedic override tax ordinance.

BACKGROUND

In June 1974, Garden Grove voters approved a property tax increase (override) to pay for emergency paramedic services in an amount not to exceed 10 cents per \$100 of assessed valuation. This assessment was approved by over 60 percent of the voters in 1974, and has been used for the past 40 years. City Ordinance No. 2859 allows the City Council to approve up to 10 cents per \$100 of property value to be assessed for the specific use of providing paramedic service to the community. This assessment can be used for salaries, training and purchasing of equipment and requires an emergency response time benchmark of five minutes. The paramedic override tax rate is currently set at 7 cents per \$100 of assessed valuation, and projected to yield approximately \$8.8 million in Fiscal Year 2016/17. The entire proceeds are used by the City to fund and run the paramedic program.

On August 9, 2016, a Fire Department Deployment Report (Report) was considered and accepted by the City Council. The Report proposed increasing paramedic staffing by an additional three Paramedics to coincide with the completion of the new Fire Station 6. Data was provided noting improved citywide paramedic response time from the current six minutes at only 38 percent of the fractal time. The City Council accepted the Report and approved a future consideration as recommended that included: requisition of three additional firefighter/paramedics; analysis of the cost implications; and any required increase to the paramedic override tax rate for City Council consideration as part of the 2017/2018 budget.

DISCUSSION

The Garden Grove Fire Department is made up of 92 sworn, five full time and one part time civilian personnel. In 2015, the Department responded to 14,627 calls, and in 2016, calls increased to 14,914 calls. The Fire Department call volume has increased by over 20 percent over the past five years with the majority being medical emergencies. This increase continues to directly impact the Department's ability to provide paramedic service citywide within the five minute time requirement, which is a performance benchmark in the current City Ordinance. Currently, there are three *full time paramedic units, and **four paramedic assessment units. This deployment plan has not been adjusted to respond to the growing number of calls for service since 1985. Additional firefighter paramedics would improve citywide response time by 10 percent or 30 seconds.

*Paramedic Assessment Unit (1 paramedic): Stabilize the medical situation until a full paramedic unit arrives to provide Advance Life Support transport to the hospital.

**Full Paramedic Unit (2 paramedics): Provide advance medical treatment and transportation to the hospital.

The initial cost of hiring three new paramedics is based on the 2017/2018 adopted budget cost of \$605,235. This cost, as well as the unfunded liability cost of the paramedic program, will continue to grow, and there is a need to modestly increase the paramedic override tax. The paramedic override tax rate, which is unchanged from the prior year, is currently set at 7 cents per \$100 of assessed valuation. This equates to approximately a \$378 annual tax bill for a median value of a single-family residence in Garden Grove of \$540,000. As currently set, it is projected to generate approximately a total revenue of \$8.8 million in Fiscal Year 2016/2017 to cover the paramedic program expenditures. However, given the increasing cost of running the paramedic program, as well as the add-on cost of public safety unfunded liability over the next five years, a sequential rate adjustment would be necessary in both Fiscal Years 2017/2018 and in 2019/2020. With these increases anticipated over the next couple of years, the City Manager deems it appropriate to defer the consideration of adding the three new paramedics until some time after the new Fire Station 6 is completed, and it is feasible to do so within the existing financial paradigm.

FINANCIAL IMPACT

The adopted Fiscal Year 2016/17 paramedic tax rate is set at 7 cents per \$100 of assessed valuation, or \$378 annual tax bill for a median value of a single-family residence in Garden Grove of \$540,000, and is estimated to yield approximately \$8.8 million dollars. As part of the budget process, staff will present to the City Council recommendations regarding paramedic tax rate adjustments necessary to sustain current paramedic operations and service including the associated unfunded liability costs.

RECOMMENDATION

The City Administration recommends that the City Council:

- Defer consideration of adding the new paramedics until it is feasible to do so within the existing paramedic tax and program financial construct.
- If appropriate, a staffing proposal may be presented to City Council in Fiscal Year 2018/2019 or thereafter.
- Approve and file this report.

ATTACHMENTS:

Description	Upload Date	Type	File Name
City Council Agenda Report dated 8-9-2016	5/18/2017	Backup Material	Paramedic_Staffing_Agenda_Report_8-9-2016.pdf
Fire Deployment Report dated 8-9-2016	5/18/2017	Backup Material	Fire_Deployment_Report_8-9-2016.pdf

City of Garden Grove

INTER-DEPARTMENT MEMORANDUM

To: Scott Stiles From: Tom Schultz
Dept.: City Manager's Dept.: Fire
Subject: Accept the Fire Department Deployment Report regarding Paramedic staffing. Date: 8/9/2016
(Action Item)

OBJECTIVE

For the City Council to accept the Fire Department Deployment Report; direct the fire chief to submit for three additional firefighter/paramedics for FY 2017-18, which will coincide with completion of fire station #6; and direct the finance director to provide updated FY 2017-18 numbers for the related paramedic staffing and required increase to the paramedic tax rate for City Council consideration as part of the FY 2017-18 budget.

BACKGROUND

Currently, the Department can only provide full paramedic unit services within six-minutes, 38% of the time. The Cities' benchmark for response time is six-minutes a majority of the time.

In June 1974, Garden Grove voters approved a property tax increase (override) to pay for emergency paramedic services in an amount not to exceed 10 cents per \$100 of assessed valuation. City Council Resolution No. 4547-74, authorizing the ballot measure, states the purpose for which the property tax was proposed; to provide for 1) an emergency care system with a response time of 5-minutes; 2) to pay salaries; and 3) to purchase and maintain vehicles, radio telemetry, and intensive care equipment including necessary supplies.

From 2012 - 2016, the tax was set at 7 cents per \$100 of assessed valuation, and projected to yield approximately \$8.8 million that is dedicated to providing the said emergency paramedic services.

DISCUSSION

The Garden Grove Fire Department is made up of 92 sworn, five full-time and one part-time civilian personnel. In 2014, the Department responded to over 11,200 calls for service, with a majority being emergency medical calls. In 2015, emergency calls increased to 14,627. Prior to 2015, medical calls have increased at a steady rate of 3%-7% per year. But in 2015, calls increased significantly by 14%. This increase in medical calls has directly affected the Department's ability to provide paramedic services within the six-minute time standard a majority of the time. The Department's current paramedic deployment plan has not been adjusted since 1985 and since then, the volume of calls has outpaced the ability to respond within the Cities' benchmark standards.

The City is currently served by three full paramedic units, and four paramedic assessment units. This deployment model can no longer meet the time standards as outlined in the original City Council Resolution.

In an effort to close the gap in paramedic response times, a phased approach is recommended over the next five years to improve response times, and to assure that every effort is made to achieve our minimum time benchmark for paramedic response times.

The first phase is to staff three additional paramedics on Engine 6. This will greatly improve the paramedic response times citywide and will be the first step in incrementally returning to the Cities' paramedic benchmark of six-minutes a majority of the time. Specifically, three firefighter/paramedics will be added to upgraded Engine 6, *paramedic assessment unit to a **full paramedic engine upon completion of the new fire station 6.

- ***Paramedic assessment unit** (1 paramedic): Stabilize the medical situation and wait for the arrival of a full paramedic unit to transport to the hospital.
- ****Full paramedic unit** (2 paramedics): Provide advance medical treatment and transport to the hospital.

This action would directly improve paramedic response times Citywide by 10% or 30 seconds.

The estimated initial cost of hiring the three new paramedics based on FY 2016-17 adopted budget costs is \$605,235. This initial cost will grow in subsequent years as labor costs grow including escalations in benefits and retirement costs. The current assessment rate will not cover this direct cost of the additional paramedics.

The Paramedic Override Assessment has been used in the City of Garden Grove since 1974. This assessment is based on the State Revenue and Taxation Code, which allows local agencies to levy an ad valorem assessment on taxable property to fund voter approved indebtedness, such as paramedic services. This assessment was approved by over 60% of the voters in 1974, and has been in use for the past 40 years. City Ordinance No. 2859 allows City Council to approve up to 10 cents per \$100 of property value to be assessed for the specific use of providing paramedic service to the community. This assessment can be used for the salaries, training and purchasing of equipment.

The City Council adopted the paramedic assessment override rate for FY 2016/17, which is unchanged from the prior year. Currently, the rate is set at 7 cents per \$100 of property value. This equates to approximately \$378 annual tax bill for a median value of a single-family residence in Garden Grove of \$540,000. This adopted rate does not cover all the Fire Department paramedic response requirements, and needs to be adjusted to accommodate the recommendations included in this report.

FINANCIAL IMPACT

The FY2016-17 adopted paramedic tax rate is set at 7 cents per \$100 of assessed property value, and estimated to yield approximately \$8.8 million. This equates to approximately \$378 annual tax bill for a single-family residence in Garden Grove with a median value of \$540,000. City Ordinance No. 2859 allows City Council to approve up to 10 cents per \$100 of property value to be assessed for the specific use of providing paramedic service to the community. The initial cost of hiring the proposed three new paramedics currently estimated at \$605,235 will grow over time with salary and benefit adjustments. Hence, some increase to the current paramedic tax rate will be required. Staff will provide updated and more representative FY2017-18 numbers for the paramedic staff costs and the required increase to the paramedic tax rate to the City Council by March 2017, as part of the FY2017-18 budget work up. The required data including the Assessors normalized tax roll, PERS contribution rates, and other pertinent remuneration information that informs prudent FY2017-18 analysis and projections will be available by February 2017.

RECOMMENDATION

It is recommended that the City Council:

- Accept the submitted Fire Department Deployment report;
- Direct the Fire Chief to submit for three additional firefighter/paramedics for FY 2017/2018, which will coincide with the completion of Fire Station 6; and
- Direct the Finance Director to provide FY 2017-18 numbers for the additional paramedic staff costs and the required increase to the paramedic tax rate for City Council consideration as part of the FY 2017-18 budget.

ATTACHMENTS:

Description	Upload Date	Type	File Name
Fire Deployment Report	7/25/2016	Backup Material	FIRE_DEPLOYMENT_REPORT.pdf

REVIEWERS:

Department	Reviewer	Action	Comments
Fire	Schultz, Tom	Approved	
City Clerk	Bailor, Kathy	Rejected	Tom let me know what you think about the suggestions. Kathy
Fire	Medina-Whittaker, Lucia	Approved	
City Clerk	Bailor, Kathy	Approved	
City Attorney	Sandoval, Omar	Approved	
Deputy City Manager	Stipe, Maria	Approved	
City Manager	Stiles, Scott	Approved	

2016

FIRE DEPARTMENT DEPLOYMENT REPORT

Tom Schultz

Fire Chief

City of Garden Grove

7/25/2016

Abstract

During the June 28, 2016, City Council meeting, the fire chief was asked if the current Fire Department paramedic deployment and paramedic override assessment fee meet the needs of the community. In an effort to provide a comprehensive response to the Council's inquiry, a detailed analysis was completed to determine if changes should be made to assure that the department meets the minimum response standards for paramedic services. This plan is based on statistical data from the past two years using the Metro Net Dispatch application "ADAM" by Decon fire response analytical software program. The approach consists of utilizing real empirical data and formulating realistic options based on what is truly happening in the City. The ability to pay and the impact on the general fund is also a key component to this Deployment Report. Both the short term and long-term liabilities outlined in the deployment plan also realistically estimate the financial impact on the general fund and the paramedic override assessment costs.

Executive Summary

When the Fire Department was asked to prepare a comprehensive report evaluating its current emergency medical and fire resources deployment, it was clear that an impartial perspective would need to be used. This process is not arbitrary, nor does it accept the status quo or imposes a deployment model that other fire agencies use. The plan must also realistically account for the City's ability to pay for services, and works to balance the fire service needs of the communities using non-general fund resources.

By using a pragmatic approach, applying real empirical statistics, and budgetary data from all available sources, a Fire Department Deployment Plan can be developed that would provide a road map to potentially move the department forward with several different options for the City Council to consider.

This deployment analysis is focused on the department's effectiveness at delivering its paramedic and emergency medical services. The department uses dual-function firefighters that are both nationally registered paramedics as well as California State fire marshal certified firefighters. There is a direct benefit in the department's firefighting capabilities that will occur when the paramedic/EMS capabilities are improved.

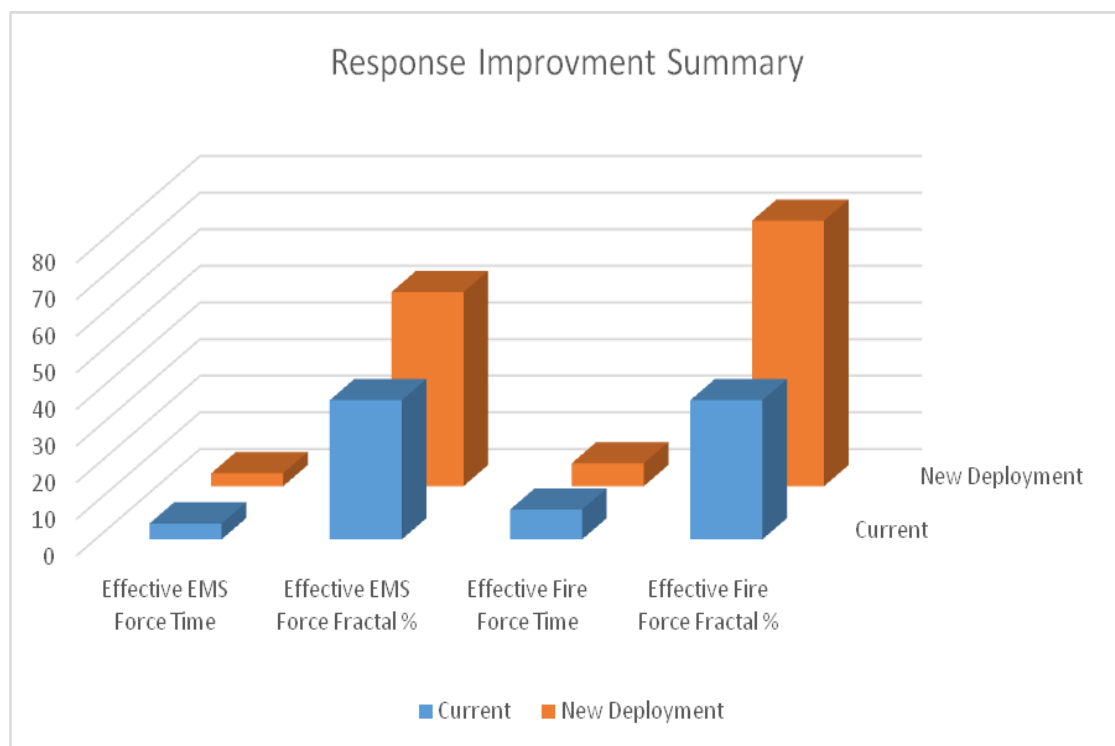
Time is the most critical component of any fire department's medical deployment model. The quicker paramedics can arrive to the location where medical care is needed, the more likely a positive outcome will occur. The standard that a fire department attempts to achieve is being able to provide a fire unit and paramedic unit on-scene within four minutes travel time or 6 minutes total time, 90% of the time. This is a very challenging standard to achieve, and many departments fall short, but efforts should be made to improve this time whenever possible. In addition, fire departments also work to deliver an effective fire force of 15 FF's to combat a structure fire within 8 minutes, 90% of the time.

Current Garden Grove Fire Performance Statistics 2014 (Light Blue)

First Unit On Scene (FUOS) Standard: 4 Mins/90% of Time	First Paramedic Unit On Scene (EEMSF) Standard: 4 Mins/90% of Time	Effective Fire Force (EFF) Goal: 8 Min/90% of Time
<ul style="list-style-type: none"> • 3:39 Minutes • 68 Percent of the Time 	<ul style="list-style-type: none"> • 4:32 Minutes • 38 Percent of the Time 	<ul style="list-style-type: none"> • 8:14 Minutes • 46 Percent of the Time

- Add 2 minutes for dispatch and turn-out time

Travel time does not include the amount of time needed to be advanced from a dispatch center, or the amount of time firefighters need to leave the fire station. In the event of a cardiac arrest, stroke, or critical medical emergency, the ultimate goal for a fire department is to arrive within 6 minutes or less total time. This will maximize the patient's chances of survival. If resources take longer, then the likelihood of a poor outcome is highly possible, according to the American Heart Association.



Background

The Garden Grove Fire Department is staffed by 92 sworn, five full-time and one part-time civilian personnel. In 2014, the department responded to over 11,200 calls for service, with the majority being emergency medical calls in 2015 emergency calls increased to 14,627. Prior to 2015, medical calls have increased by 3%-7% per year but on 2014 calls increased significantly to 14%. The department's fire calls have remained consistent over the same time-period, with an average of about 350 fire-related calls per year. More than six of these fires were greater alarm incidents, requiring more than 50 firefighters and assistance from adjoining fire departments. In

addition to the department's suppression activities, the fire prevention bureau completes over 5,000 inspections per year while also providing services such as plan check, new construction inspections, public education, and fire cause/arson investigations. The City of Garden Groves fire resource deployment uses a combination of fire engines, a truck company, and a paramedic squad. Paramedic services are provided by four paramedic assessment engines, two full paramedic engine companies, and one paramedic squad.

Engine Company



Engine companies are the backbone of any fire department delivery system. They use a specialized fire apparatus that can pump over 250 gallons of water per minute and transport firefighters to extinguish fires. In addition to the fire extinguishment capabilities, they are also used to provide emergency medical care to the community.

The department's current engine company deployment model is a combination of 3-person and 4-person engine companies. One of the 3-person engine companies provides basic medical care or emergency medical technician level of care. With this level of care, they can start the basic treatment until the arrival of the higher trained paramedic's. Four of the 3-person engine companies are paramedic assessment units, which have the capability to start initial paramedic advanced care, and stabilize the medical situation until the arrival of a full 2-person paramedic unit. When the full paramedic unit arrives, that team will take over care and transport to the hospital.

Paramedic Assessment Unit (PAU) Staffing

Paramedic Assessment Unit (PAU) is a fire engine company with one firefighter who is certified as a firefighter/*paramedic* (FF/PM.) This PAU can provide paramedic level care until a full paramedic unit, with *two* FF/PM's arrives to take over patient treatment, and transport to the hospital.



Captain-Engineer-FF/PM

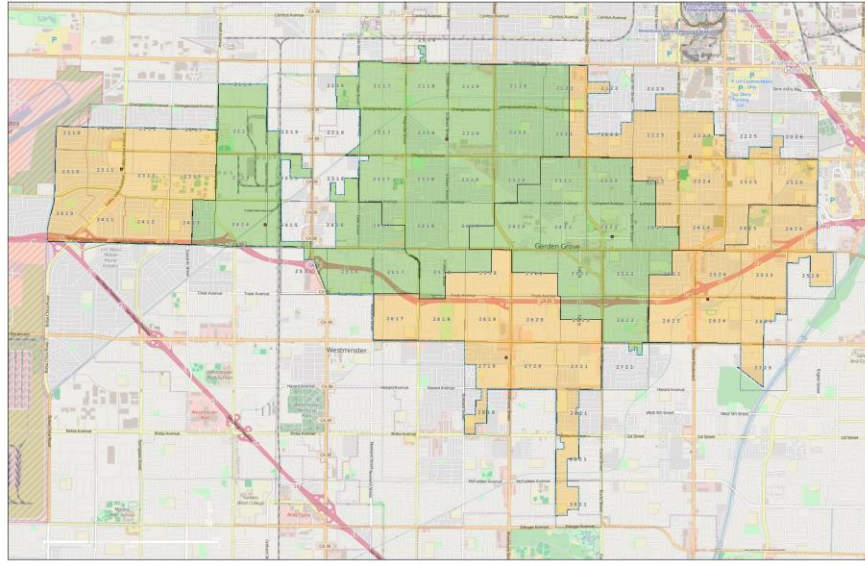
Full Paramedic Engine Staffing

Full Paramedic Engine is a fire engine with *two* firefighters certified as FF/PM's. This team can provide paramedic level care and transport to the hospital.



Captain-Engineer-2 FF/PM's

Current Paramedic Deployment Map



- Green Paramedic Unit Coverage
- Yellow Paramedics Assessment Coverage

Truck Company



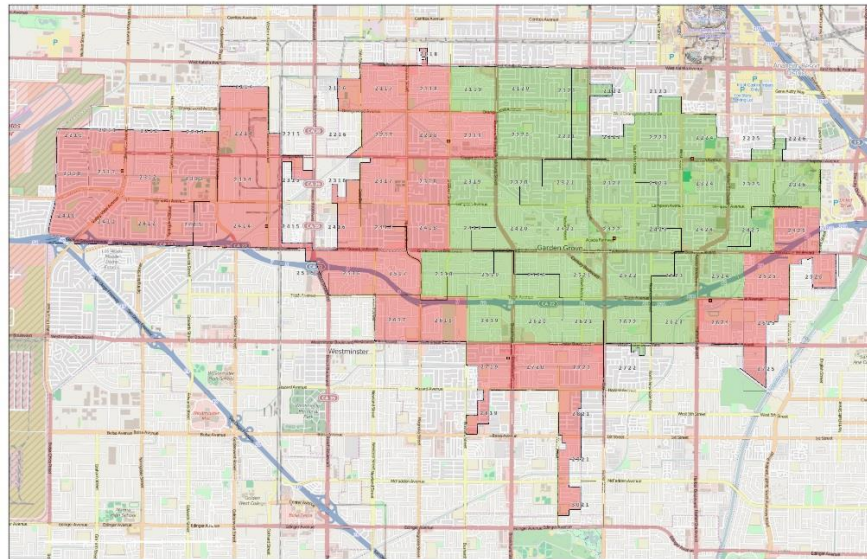
Truck companies are specialized apparatus that are designed to provide technical rescue and firefighting service. On the fire ground, the truck company provides most of the ladders used for rescue, which include a 100-foot aerial ladder for operations at high-rise hotel or commercial building fires. In addition, truck companies carry special rescue tools that are used to extricate citizens from entrapments such as traffic collisions.

The department's current truck deployment consists of a single-truck company serving the community at Station 1, located at 11301 Acacia Parkway. The truck is staffed with three personnel: a captain, engineer, and firefighter. Best practices for truck response is 6 minutes travel time. Additional truck services are provided through regional auto-aid requests and agreements. The West side of the City receives the majority of its truck services from the Orange County Fire Authority.



Captain-Engineer-1 Firefighter

Current Truck Company Deployment Map



- Green Truck Coverage Within 6 Minutes
- Red Extended Truck Coverage

Paramedic Squad



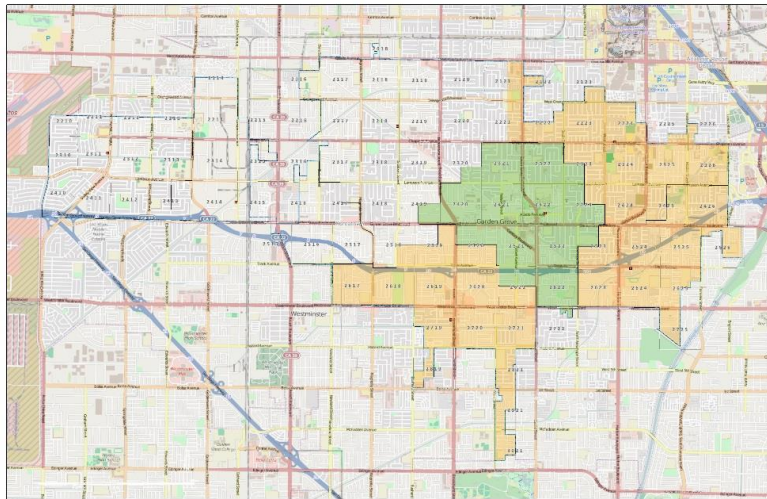
A paramedic unit is designed to be primarily a single-function medical resource. The paramedic's squad carries two certified FF/PM's and all the equipment needed to provide advance life support care. In addition, the squad carries the basic equipment to outfit the FF/PM's in assisting with a structure fire.

The department currently has one paramedic squad, at Station 1, which primarily assists the engine companies in the districts of Stations 1, 3, 6, and 7.



2 Firefighter/Paramedics

Paramedic Squad Deployment Map



- Green Current Paramedic Squad (Unit) Deployment
- Yellow Current PAUs

Current Medical Deployment Summary

Station Location	Resource Type	Medical Capabilities
Station 1 11301 Acacia Parkway	3-Person Engine Company 3-Person Truck Company 2-Person Paramedic Squad 1-Person Command Unit	Basic Medical Care Basic Medical Care Advance Medical Care & Transport *Full 2 Person Paramedics Unit
Station 2 11805 Gilbert	4-Person Engine Company	Advance Medical Care & Transport *Full 2 Person FF/PM's Unit
Station 3 12132 Trask	3-Person Engine Company	Advance Medical Care, No Transport PAU
Station 4 12191 Valley View	3-Person Engine Company	Advance Medical Care, No Transport PAU
Station 5 12751 Western	4-Person Engine Company	Advance Medical Care & Transport *Full 2 Person FF/PM's Unit
Station 6 12111 Chapman	3-Person Engine Company	Advance Medical Care, No Transport PAU
Station 7 14162 Forsyth	3-Person Engine Company	Advance Medical Care, No Transport PAU

Indicates location of *full paramedic unit* with the ability to transport to the hospital

Deployment Standards (NFPA 1710 & Best Practices)

The Fire Department's mission is to provide rapid all-risk emergency services to the City, including responding to medical emergencies, fires, hazardous material calls, and technical rescues. It is essential to periodically review and analyze the deployment of resources to determine if there are gaps in community coverage, or areas in which efficiencies might be improved. A nationally recognized reference used by many cities and fire departments to measure performance benchmarks is the National Fire Protection Agency 1710 (NFPA) publication. This publication covers functions and objectives of fire department emergency services delivery, response capabilities, and resources, including staffing levels, response times, and service levels. General criteria for managing resources and systems, such as health and safety, incident management, training, communications and pre-incident planning are also incorporated.

The Garden Grove Fire Department has not completed a comprehensive survey of deployment and operational effectiveness in over 30 years. Several changes in deployment have occurred over the years as a reaction to an increase in emergency calls for service, which has expanded paramedic services, but no formal analysis or service evaluation has occurred. In 2006, the department responded to 408 fire calls and 8,184 medical calls. In comparison, in 2014, the department responded to 462 fires calls and 11,887 medical calls. In 2011-2014, call volume increased by 3%-7% annually. Last year, 2015, emergency calls increased by over 14% or 14,627 calls. An increase in call volume does not automatically require that fire department staffing levels to change, but it should trigger an evaluation of staffing to assure that a sufficient level of service to the community is occurring and has not been degraded.

As the population continues to grow, and the community's expectations of fire and related services increase, it is essential that the department's deployment be vetted against a recognized national performance standard.

Response Times

The most important standard of operational performance a fire department must meet is its ability to deploy appropriate resources in an adequate amount of time. This makes an absolute difference with all critical life-threatening medical emergencies, as well as with preventing a small fire from turning into a major fire. Time standards can be subjective in nature, so it is important to use nationally accepted time benchmarks to establish our own standard goals. We should strive to achieve these practices as a department, with the understanding that the community's ability to pay may affect total compliance.

Total response time is based on the combined total of several specific time elements. This includes:

- Dispatch time: Time elapsed from when a call is received at the 9-1-1 center until units are notified.
- Turnout time: Time elapsed from when units are notified until they are responding.
- Travel time: Time elapsed from when units respond until they arrive on the incident scene.



Dispatch Time + Turn Out Time + Response or Travel Time = Total Response Time

The overall goal of the NFPA 1710 standard is to achieve compliance with the time benchmarks (fractal measurement) 90% of the time. This standard is extremely difficult to meet and very few departments nationally comply with it. It should be the Garden Grove Fire Department's goal to execute a deployment that maximizes the effectiveness of current fire resources available and supplements future responses with additional resources, as funding is available, to achieve the best response times attainable.

Dispatch Time

The Fire Department is a member of the Metro Net Communications Center Joint Powers Agreement as its fire Emergency Communication Center (ECC.) Currently, the communication center answers approximately 106,196 calls per year. The communication center is fully NFPA complainant, and meets both the time and fractal percentage benchmarks.

Description	Target Level	Service	2013	2014
Non Breathing Calls				
Land Line	105 Seconds, 90%		105 Seconds, 92%	105 Seconds, 93%
Cell Phone	135 Seconds, 100%		135 Seconds, 97%	135 Seconds, 98%
Description	Target Level	Service	2013	2014

Description	Target Service Level	2013	2014
All Medical Calls			
Land Line	120 Seconds, 90%	60 Seconds, 91%	120 Seconds, 89%
Cell Phone	150 Seconds, 100%	90 Seconds, 98%	150 Seconds, 97%
Fire Calls			
Land Line	105 Seconds, 90%	105 Seconds, 91%	105 Seconds, 91%
Cell Phone	135 Seconds, 100%	135 Seconds, 97%	135 Seconds, 97%

Turnout Time

NFPA 1710 has established the benchmark time measurement of 60 seconds, or 1 minute, for fire/EMS personnel to be notified by the dispatch center and then depart the fire station responding to the reported emergency. Within Orange County, the fire chiefs have determined that the response standard for fire responses should be extended to 90 seconds, or 1½ minutes, to more accurately represent the task required to be completed prior to leaving the station. Firefighters must fully don their firefighting gear prior to leaving their station. This gear, which must be worn, includes the following items:

- Structure firefighting turn out pants and boots
- Structure firefighting coat
- Structure firefighting gloves
- Structure firefighting protective hood and helmet

The fire chiefs also agree that the 60 seconds, or 1-minute standard must remain in effect for any emergency medical response that includes Basic Life Support/Emergency Medical Technician or Advance Life Support/Paramedic calls.

The Garden Grove Fire Department currently meets the time standard for fire calls with an average turnout time of 01:24 minutes, but fails to meet the EMS time standard with an average turnout time of 01:17 seconds. The department has implemented an organizational policy to improve its turnout time efficiency. It is also seeking grant funding to implement countdown clock technology to help meet this standard.

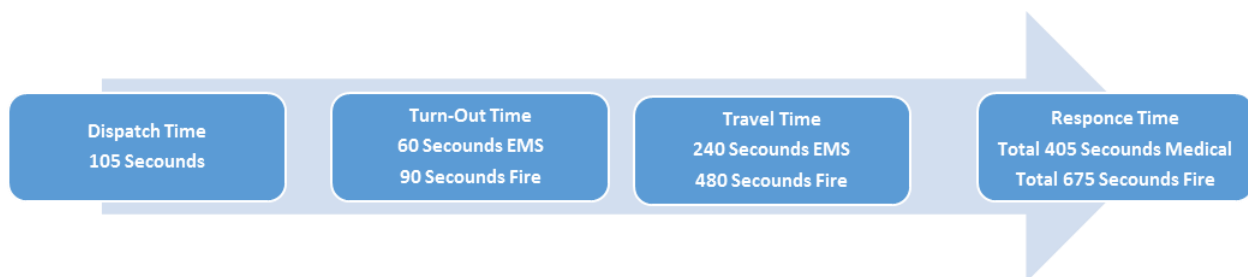
Countdown clock cost is estimated at \$35,000, and can be integrated into the current station dispatch notification system.



First Unit on Scene (FUOS)

Many cardiac pulmonary arrest studies, including reports from the American Heart Association, have found that early cardiac defibrillation by an automatic defibrillator (AED), or standard defibrillator, by a trained emergency medical technician or a FF/PM, is critical for patient survival. NFPA 1710 recommends that all first responders be able to respond (travel or response time) in 4 minutes, 90% or a total of 6 minutes (Dispatch + Turnout Time+ Response Time.) The Garden Grove Fire Department currently provides **first unit on scene** response, or travel times, of less than 6 minutes, 68% of the time. Also of note, the majority of first responding resources will have a minimum of one FF/PM with them.

In addition to the need for emergency medical services to arrive within 6 minutes total time, it is also important that an initial firefighting resource arrive within 6 minutes to begin essential fire operations, including rescue and reducing the potential size of the fire and its threat to nearby structures or exposures.



Effective Fire Force (EFF)

NFPA 1710 and the Orange County Fire Chiefs Association recommend that a total minimum of 15 firefighters arrive at a fire (travel or response time) in no more than 8 minutes, 90% (fractal measurement) of the time. This standard is based on the number of firefighters required to perform the basic fire ground activities for a normal 1,200 square foot residential house. This size fire problem is consistent with the majority of homes in the City, and the common-type of structure fires to which the department responds. Currently, the Garden Grove Fire Department only provides an EFF of 46%, within 8 minutes.

The department's current deployment model can only deliver 13 firefighters to a structure fire on the east side of the community the majority of the time. This is due to the consolidation of 3-person staffed engine companies at Fire Stations 1, 3, and 7, and a 3-person truck company at Station 1.

The need for an EFF is due to the complexity of the fire ground and its dynamic fast-moving environment. Structure fires require command, control, and multiple tactical operations to be conducted simultaneously. In addition, the safety of the occupants, civilians, and firefighters must be a top priority, and are mandated by both OSHA and federal laws. Following is a list of the essential fire groundwork assignments that must be staffed on any structure fire.

Effective Fire Force Deployment 1200 Square Foot Residential Home

Command & Safety Officer	1 Chief Officer
<ul style="list-style-type: none"> • 1 Battalion Chief 	
Fire Attack Team	3-4 Firefighters
<ul style="list-style-type: none"> • 1 Supervisor (Captain) • 1 Pump Operator (Engineer) • 1-2 Hose and Nozzle Operators (Firefighters) 	
Back-up Fire Attack Team & Search and Rescue Team	3-4 Firefighters
<ul style="list-style-type: none"> • 1 Supervisor (Captain) • 1 Pump Operator (Engineer) • 1-2 Hose and Nozzle Operators (Firefighters) 	
Ventilation Team	4 Firefighters
<ul style="list-style-type: none"> • 1 Supervisor (Captain) • 1 Aerial Ladder Operator (Engineer) • 1 Saw Operator (Firefighter) • 1 Back-Up (Firefighter) 	
Initial Rapid Intervention Team (IRIC) OSHA 2in 2out Requirement	2 Firefighters
<ul style="list-style-type: none"> • 2 Equally trained and equipped firefighters ready to rescue a lost or trapped firefighter. 	
Exposures Protection	2 Firefighters
<ul style="list-style-type: none"> • 2 Firefighters deploying fire attack hose lines to protect adjoining structures from fire spread. 	
Total	15-17 Firefighters

Effective Truck Service

One of the most important procedures at the fire ground is truck company operations. The specialized tools and training that truck personnel provide have a significant impact on how quickly the incident is stabilized and mitigated. Some of the more critical operations performed by a truck are:

- Rescue Operations

- Forcible Entry or Escape From a Structure
- Ladder Operations
- Extrication of Tapped Victims
- Fire Ventilation Operations



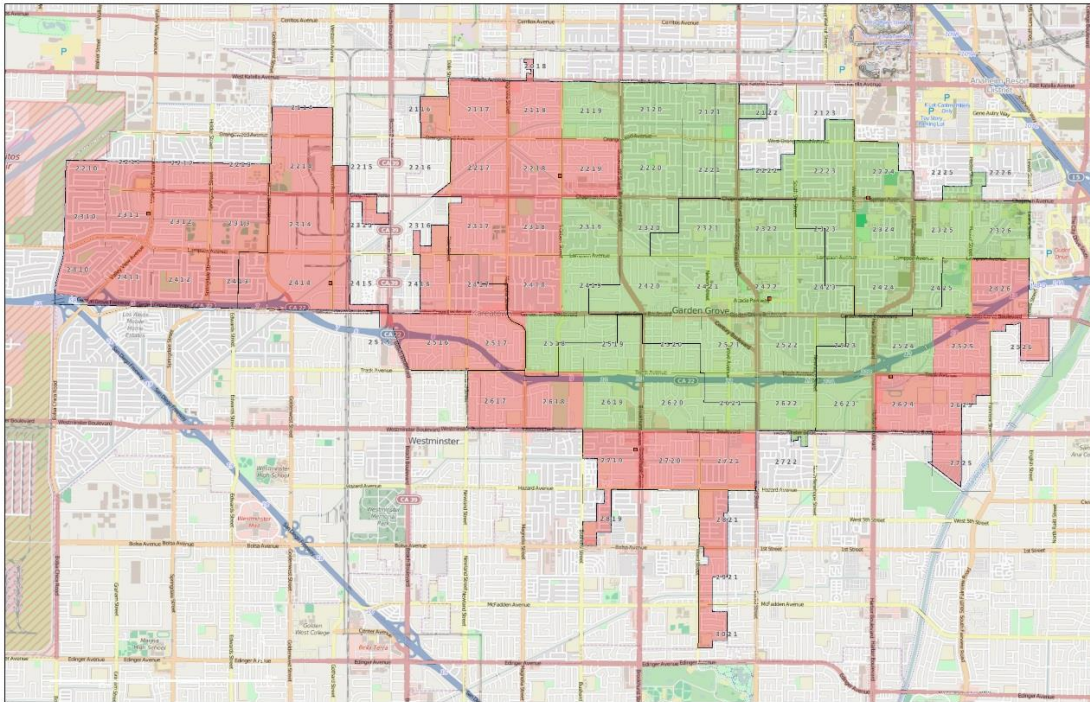
Currently, the Garden Grove Fire Department only has one Truck Company serving a community of over 175,000 people. The department's current truck deployment model does not meet the requirements of NFPA 1710 and cannot provide truck services (staffed with four firefighters) within the EFF standard to every resident within 8 minutes of travel time. The City currently depends on the availability of auto-aid assistance from surrounding fire departments to provide truck services for a large section of the west side of the City. Adequate truck service has been exasperated by the recent shutting down of the City of Stanton's truck company (OCFA Truck 46), extending the response time for an auto-aid truck company to respond and assist the department.

In addition to the fire ground operations that truck companies perform, they are also a critical rescue resource. Trucks are used for auto extrication, technical rescue entrapments, and many other specialized emergencies. Response times are critical for these types of emergencies, and many citizens on the west side of the community experience greater response times because of this.

The best practice for specific truck company response times, is the ability to arrive at any location within the City in 6 minutes or less. This standard was modeled in the Decon "ADAM" program and it was determined that the most effective location for our department truck companies is to be located at 11301 Acacia Parkway (Station 1) and a second truck at 12751 Western (Station 5.) Current funding may not be able to staff a dedicated 4-person truck company at Station 5, but a Quint fire apparatus, which has both truck and engine capabilities, would be an acceptable alternative. Truck 5 would have the following capabilities:

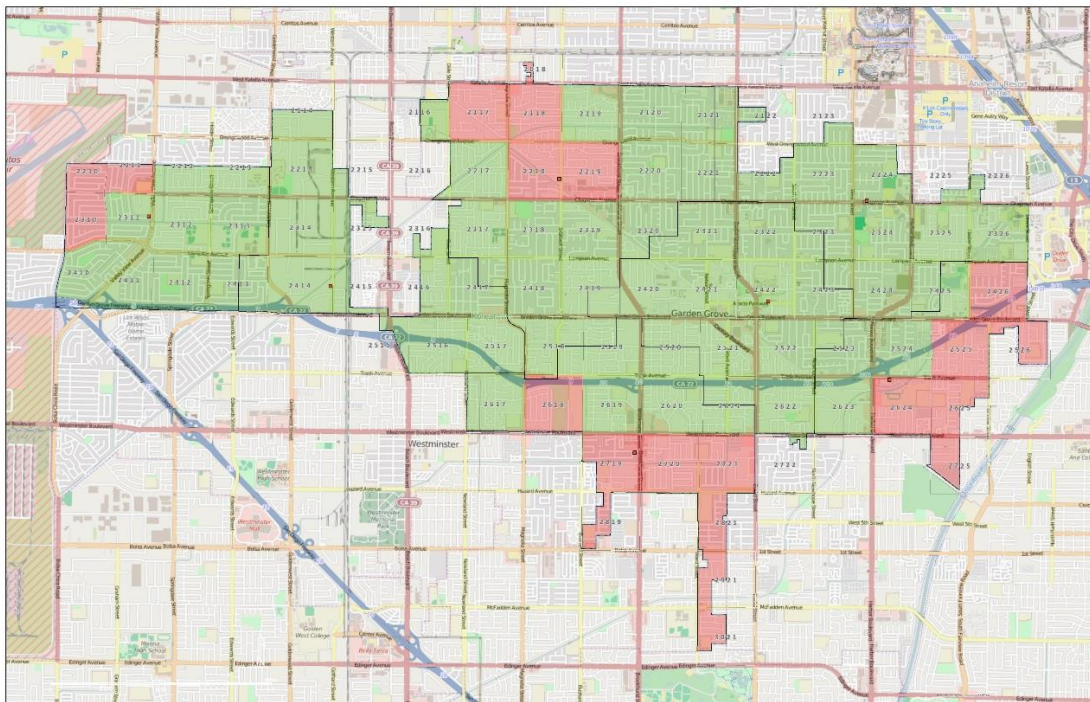
- Paramedic Services
- Engine Company Capability
- Truck Company Capability

Current Deployment for Station 1



- Green Area = Truck Coverage Within 6 Minute Response Time

Truck Deployment for Station 1 and Station 5

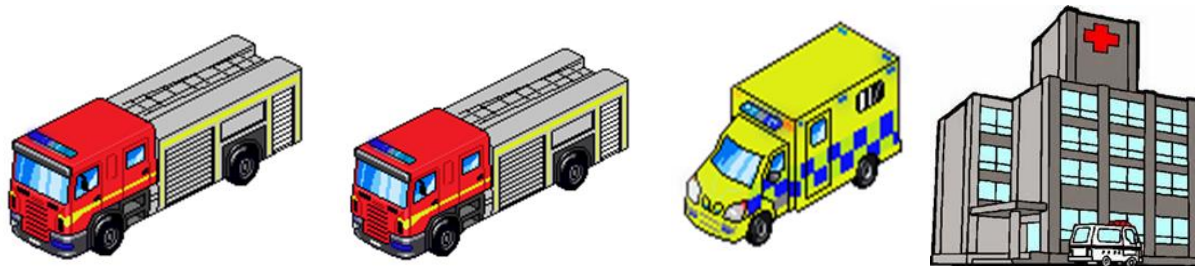


- Green Area = Truck Coverage Within 6 Minute Response Times

Effective Emergency Medical Force (EEMF)

EEMF is defined as the Fire Departments ability to provide two paramedics and two emergency medical technicians at an advanced life support medical emergency, within 4 minutes travel time, 90% of the time or 6 minutes total time. This time benchmark is critical because it improves a patient's chances of survival in the event of cardio-pulmonary arrest, stroke or other critical medical emergencies and expedites rapid intervention of paramedic care. The most efficient method of delivering an EEMF is with a 4-person staffed paramedic engine company, because fewer apparatus are needed to respond.

3-Person Paramedic Assessment Unit (PAU) Engine Response



PAU Engine + Paramedic Engine or Squad + Ambulance

Hospital



4-Person Full Paramedics Engine Response



Paramedic Engine + Ambulance

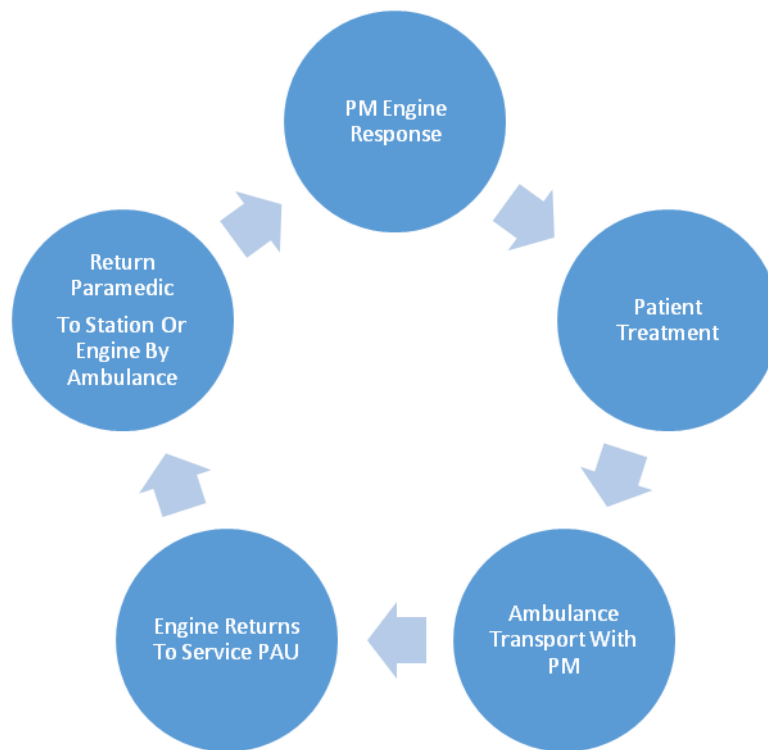
Hospital

The paramedic engine company staffed with four personnel improves the required EEMF by nearly 57%. This delivery method is more efficient than the current combination of 3-person PAU, and 2-person medic squads, by taking advantage of Orange County's Emergency Medical Policy (310.10.) Determination of transportation to an appropriate facility allows certain types of medical calls to be escorted with one FF/PM to the hospital for Tier 2 types of paramedic level responses, such as abdominal discomfort or pain.

By only using one FF/PM when appropriate to transport to the hospital with an ambulance, the engine company can return to service as a PAU, ready for the next medical or fire call. This will significantly close the gap for the amount of time that a district is not protected by an engine due to hospital follow-up. Furthermore, once the patient is transported to the hospital, the ambulance would then return the FF/PM to their apparatus or station, and the crew would return to a full paramedic unit. This will drastically improve the department's response resiliency, and eliminate situations when two large pieces of fire apparatus respond to the same medical call simply to provide the proper staffing.

The Fire Department and City would also see general fund cost savings in the wear and tear on its response fleet fire engines and trucks, as well as a reduction in repair cost and fuel consumption.

Full Paramedic Response & Return to District Service Follow up Diagram



Paramedic Nurse Coordinator

The Paramedic Nurse Coordinator is an important component to the Departments Emergency Medical Services (EMS) delivery system, which is responsible for implementing the mandatory state, federal, and local quality assurance program. This person also regularly analyzes Emergency Medical System (EMS) effectiveness, system trends, formulates policies and procedures, and finally executes EMS educational programs and system modifications. Currently, the department is not in full compliance with all quality assurance components required by law. Non-compliance exposes the City to potential liability, and prevents sub-standard performance trends from being identified until a real problem arises.

The nurse coordinator would also make recommendations to the department related to firefighter health, fitness, and wellness issues. This person is a valued resource in assisting firefighters during prolonged emergency incidents, where firefighters need to be monitored during rehabilitation prior to returning to active firefighting.

The paramedic nurse coordinator is also responsible for analyzing and formulating a plan for the delivery of community para-medicine within the City.

Funding the City's Paramedic Program - Paramedic Override Assessment

The paramedic override assessment has been used in the City of Garden Grove since 1974. This assessment is based on the State Revenue and Taxation Code, which allows local agencies to levy an ad valorem assessment on taxable property to fund voter approved indebtedness, such as paramedic services. This assessment was approved by over 60% of the voters, and has been in use for the past 40 years. City Ordinance No. 2859 allows City Council to approve up to 10 cents per \$100 of property value to be assessed for the specific use of providing paramedic service to the community. This assessment can be used for the salaries, training, and purchasing of equipment.

On June 28, 2016, the City Council adopted the paramedic assessment override rate for FY 16/17, which is unchanged from the prior year. Currently, the rate is set at 07 cents per \$100 of property value. This adopted rate does not capture all the current Fire Department paramedic response requirements, and needs to be adjusted to accommodate the recommendations included in this report. City finance staff is in the process of analyzing exactly what the current revenue is from the tax, and what changes would be needed to fund part or all of the recommendations.

Deployment Recommendations

Following a careful analysis of all the potential Fire Department deployment configurations that would improve both response times and maximize cost efficiencies, a deployment recommendation has been developed. The analysis examines the present deployment model of paramedic squads with Basic Life Support (BLS) and Advanced Life Support (ALS) engine companies, and the deployment of a 4-person full paramedic engine. After modeling many different scenarios, it was determined that the most efficient and cost effective deployment that improved response times for both EFF and EEMF, and maintains our FUOS times, was the 4-person full paramedic engine system.

This data was obtained using the “ADAM” by Decon response modeling program which used actual response data from the past two years, (2013-2014), and then overlaid various deployment options, until the optimum model was determined. A 3-phase deployment plan was determined to be the best path moving forward as a department. These options build on each other and would allow for an incremental approach to improving service, as well as allow for long-term financial planning to achieve the recommendations.

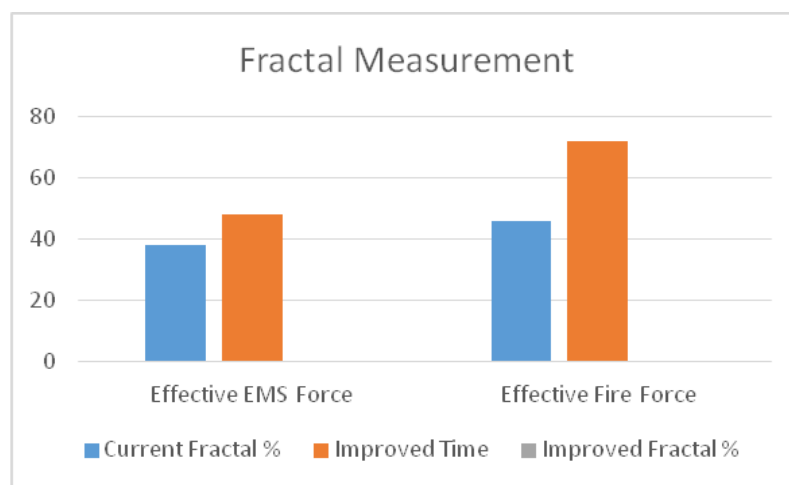
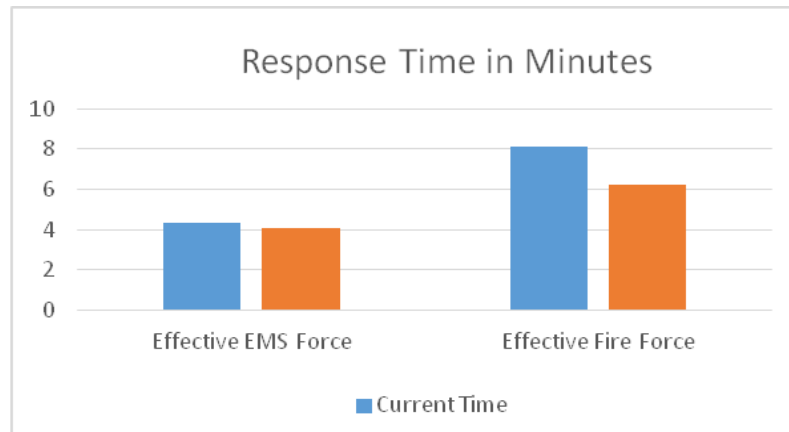
Lastly, the deployment recommendation considered the City’s ability to pay, and its impact on the general fund. The majority of the deployment recommendations will directly improve paramedic services and meet the minimum needs of the community. Funding through the current paramedic override assessment will be the catalyst to pay for any new operational costs. This funding would use an incremental approach that would allow the City Council to annually evaluate the effectiveness of the deployment, and anticipate the City’s need to increase the paramedic override assessment to support the deployment.

Phase 1 Deployment (FY 16/17)

1. Upgrade PAU Engine 6 to Full Paramedic Engine 6 (adding three FF/PM’s.)

This will allow for quicker paramedic-level care on the east side of the community, while increasing the total number of paramedic units in the City from three to four. This change will improve the Effective EMS Force (Full Paramedic Unit) from 06:32 minutes, 38% of the time, to 06:07 minutes, and 48% of the time. This is a significant increase in deployment effectiveness.

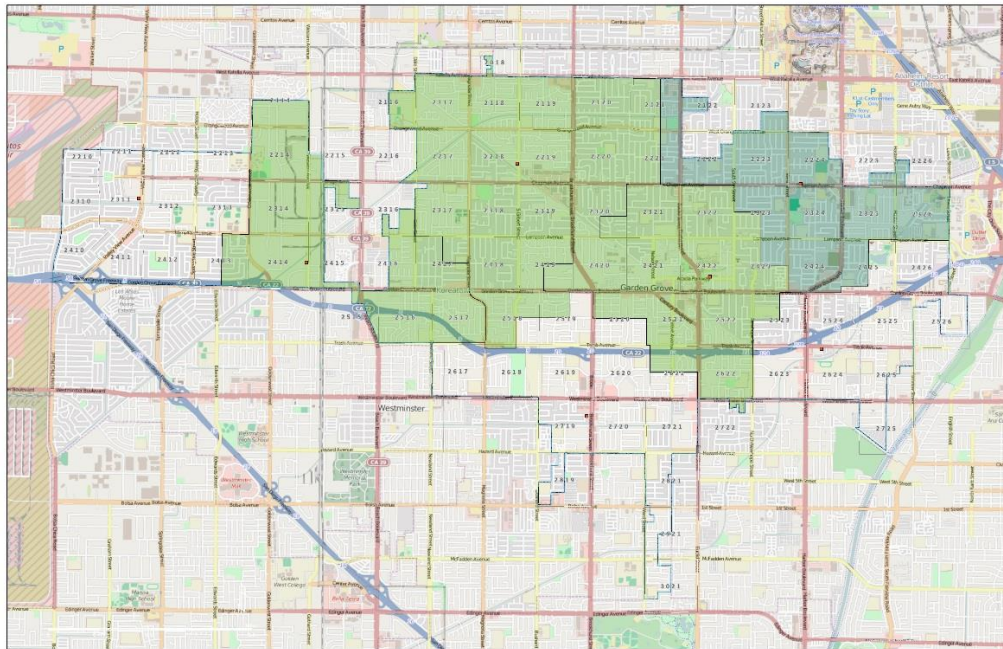
2. Integrating a new private ambulance contract that includes provisions to provide specific paramedic equipment, and guarantee return transportation of our FF/PM from the hospital, back to the Engine Company or station, will further close the gap in district coverage for many calls (Tier 2) that require a paramedic escort to the hospital.



This phase would initially cost \$605,235 annually (Today's cost), and would be funded by the current paramedic override assessment. *Final cost projection is pending a report from the City Finance Department. It is estimated to be a minimal overall increase in the assessment.*



District Deployment Graph Engine 6



- Green Current Paramedic Unit Coverage
- Dark Green Proposed New Paramedic Unit

Cost of Phase 1

Paramedic Assessment Funding Impact	Direct General Fund Impact
Engine 6 Paramedic Upgrade \$605,235	\$0 dollars

- Dollar estimates are based on current day cost

Phase 2 Deployment (FY 18/19)

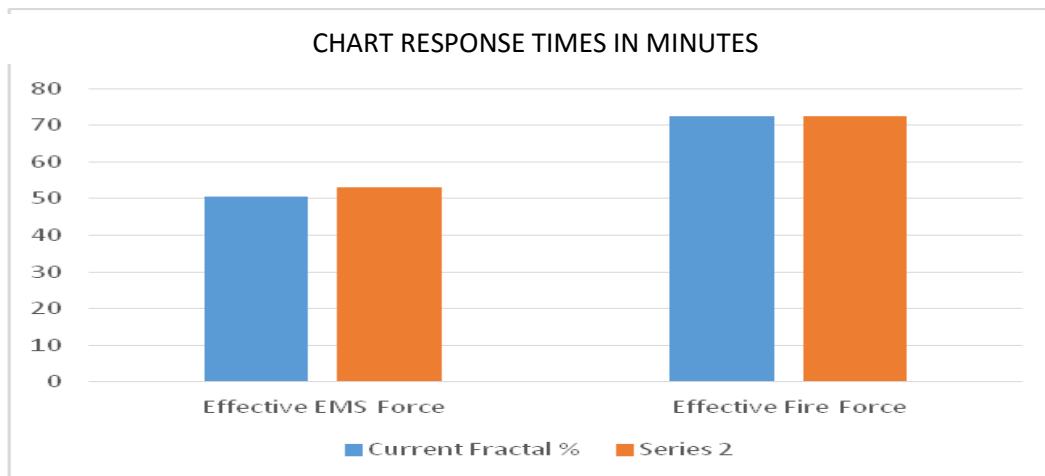
Phase 2 builds on the prior phase, and continues to close the Effective EMS Force gap by providing an additional full paramedic engine to the City. After the implementation of this phase, the City will be served by five full paramedic engines. In addition, this phase will improve our fractal measurement by another 3%. This change will maintain the department's first unit on scene and effective fire force.

1. One of the key components of Phase 2 is to designate a full-time nurse / paramedic coordinator that will assure compliance with all EMS regulations and quality assurance requirements. Currently, the department is not in full compliance with the required quality assurance for medical personnel. The nurse/ paramedic coordinator would also be responsible for researching the feasibility of a community para-medicine program and would administer the program in the future if approved.
2. Change PAU Engine 3 to Full Paramedic Engine 3 (adding three FF/PM's)
3. Re-deploy Paramedic Squad personnel and distribute personnel to E1 and T1
 - a. Engine 1 to become a full paramedic engine

b. Truck 1 to become a paramedic assessment unit

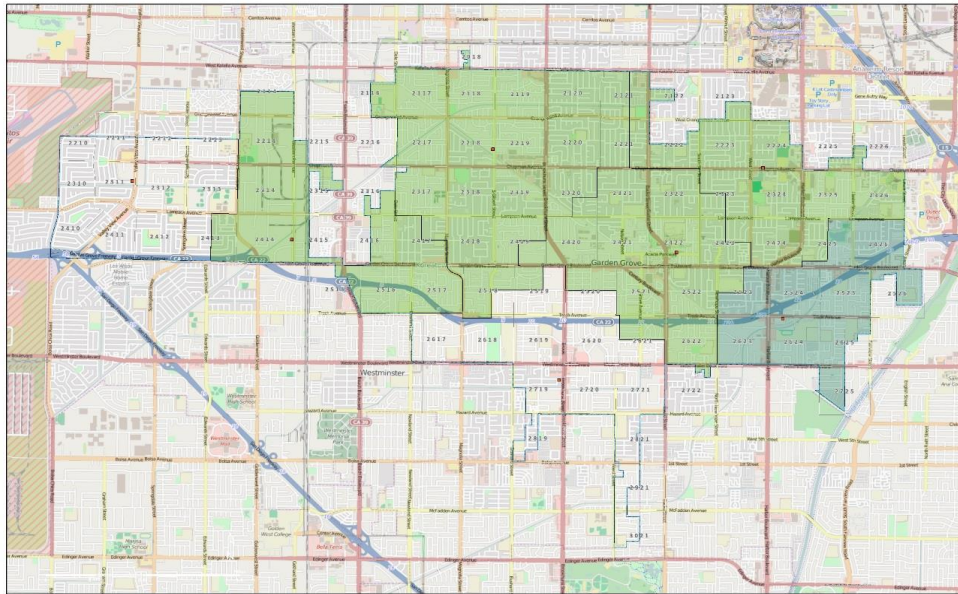
Although the overall daily responses by Engine 1 will increase slightly, the statistical outcome of service delivery supports the change because of the improvement in effective EMS force. The additional staffing of one firefighter/paramedic will improve advanced medical services and align the department with the NFPA 1710 recommendations for a 4-person truck. Typical compliant truck staffing is as follows:

- Fire Captain (Supervisor and Crew Safety Officer)
- Fire Engineer (Apparatus Driver and Aerial Ladder Operator)
- Firefighter/Paramedic 1 (Ventilation Saw Operator)
- Firefighter 2 (Back-up Person for Saw Operator)



Note: Increase in fractal measurement is the goal.

District Deployment Graph Engine 3



- Green Paramedic Unit Deployment Including Phase 2
 - Dark Green Proposed New Paramedic Unit

Cost of Phase 2

Paramedic Assessment Funding Impact	General Fund Impact
Engine 3 Paramedic Upgrade \$605,235	
Nurse/Paramedic Coordinator \$254,215	
Cost From Phase 1 \$605,235	
Total Cost: \$1,464,685	\$-00

- Dollar estimates are based on current day cost

Phase 3 Deployment (FY 20/21)

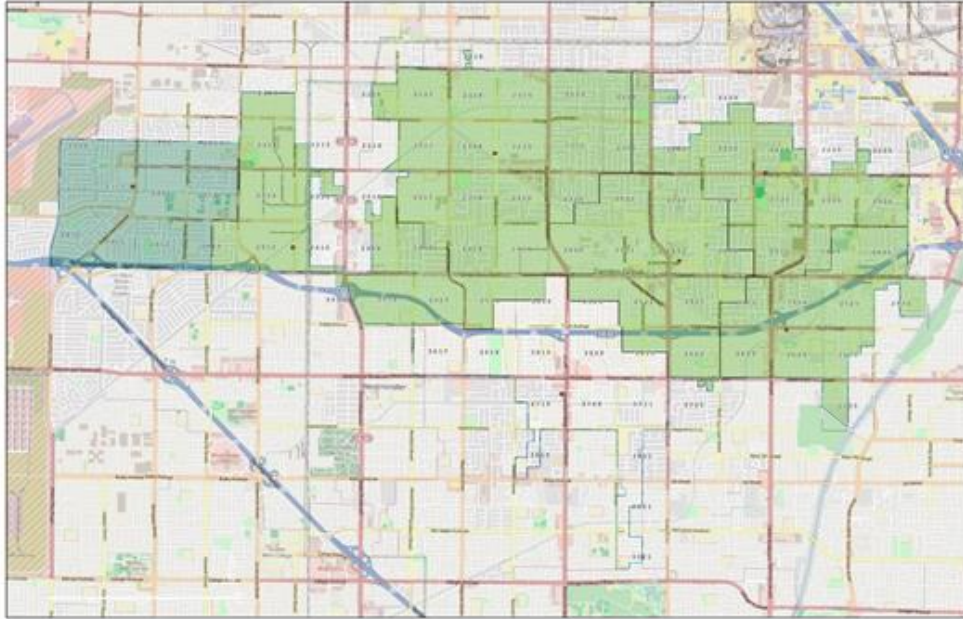
1. Change PAU Engine 4 to Full Paramedic Engine 4 (additional three FF/PM's)

This final phase completes the process of deploying additional paramedic resources throughout the community. The upgrade of paramedic assessment Engine 4 to a full paramedic engine eliminates the need for a second paramedic resource to respond in the City's farthest west districts.

Upgrading PAU Engine 4 to a full paramedic unit will allow for faster paramedic care and transport on the west side of the community, as well as increase the total number of paramedic units in the City from five to six. This is three more paramedic units than the City currently has. This change will improve the Effective EMS Force

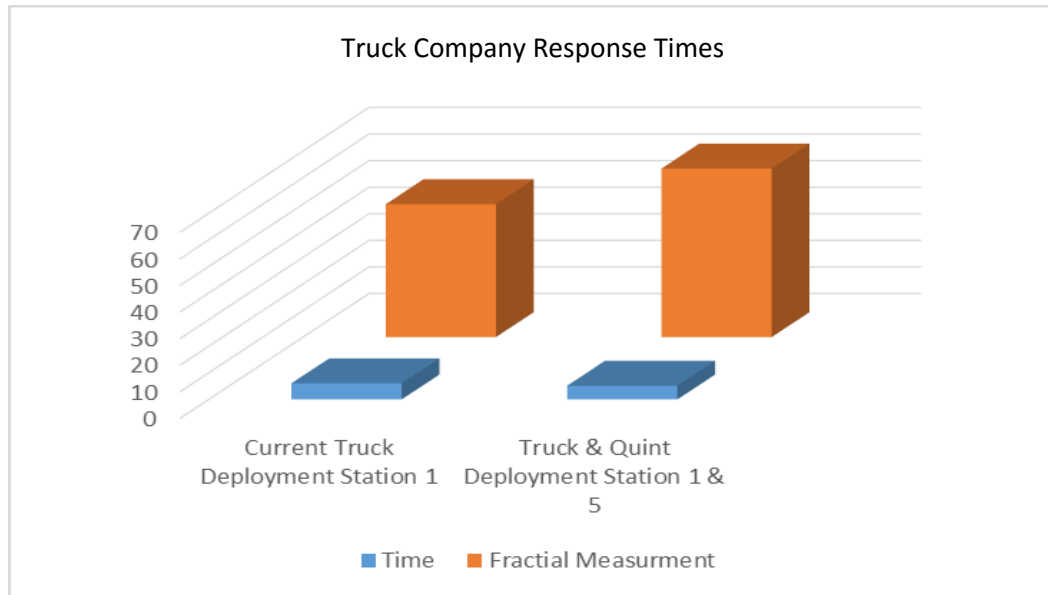
another 3% and maintain a Citywide effective fire force of 6:26 minutes, 72.5% of the time.

District Deployment Graph Engine 4



- Green Paramedic Unit Deployment Including Phase 2
 - Dark Green Proposed New Paramedic Unit

2. Changing Engine 5 to a Quint (Truck Company) full paramedic fire unit will require the purchase of a new piece of a Quint apparatus, capable of functioning as a ladder truck, fire engine, and paramedic unit. The cost of this apparatus would be a general fund and paramedic assessment cost but most of the additional cost would be offset by the reduction of the size of the overall fire apparatus fleet. The Quint would be purchased when Engine 5 is scheduled for replacement and the additional cost for the Quint capabilities would be offset by not replacing the current paramedic squad.



Cost of Phase 3

Paramedic Assessment Funding Impact	General Fund Impact
Engine 4 Paramedic Upgrade \$605,235	Quint Truck Apparatus* \$750,000
Cost From (Phase 1 & 2) \$1,464.685	Planned Purchase of Engine Company -(\$560,000)
	Planned Purchase of PM Squad -(\$160,000)
Total Cost: \$2,069.920	Total Cost: \$30,000

- Dollar estimates are based on current day cost

Planned cost to replace both an engine company and paramedic squad should offset the cost of the Quint apparatus.

GLOSSARY

ECC	Emergency Communication Center
EEMF	Effective Emergency Medical Force
EEMSF	Effective EMS Force
EFF	Effective Fire Source
EMS	Emergency Medical Services
FF	Firefighter
FF/PM	Firefighter/Paramedic
FPE	Full Paramedic Engine
FPU	Full Paramedic Unit
FUOS	First Unit on Scene
NFPA	National Fire Protection Association
PAU	Paramedic Assessment Unit