GARDEN GROVE

A G E N D A

GARDEN GROVE PLANNING COMMISSION

APRIL 03, 2025 - 7:00 PM

COMMUNITY MEETING CENTER
11300 STANFORD AVENUE

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

Agenda Item Descriptions: Are intended to give a brief, general description of the item. The Planning Commission 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 Planning Commission within 72 hours of a meeting, are made available for public inspection at the same time (1) in the Planning Services Division Office at 11222 Acacia Parkway, Garden Grove, CA 92840, during normal business hours; and (1) at the Community Meeting Center at the time of the meeting.

Public Comments: Members of the public who attend the meeting in-person and would like to address the Planning Commission are requested to complete a yellow speaker card indicating their name and address, and identifying the subject matter they wish to address. This card should be given to the Recording Secretary before the meeting begins. General comments are made during "Oral Communications" and are limited to three (3) minutes and to matters the Planning Commission has jurisdiction over. Persons wishing to address the Planning Commission regarding a Public Hearing matter will be called to the podium at the time the matter is being considered. Members of the public who wish to comment on matters before the Commission, in lieu of doing so in person, may submit comments by emailing public-comment@ggcity.org no later than 3:00 p.m. the day of the meeting. The comments will be provided to the Commission as part of the meeting record.

PLEASE SILENCE YOUR CELL PHONES DURING THE MEETING.

REGULAR MEETING AGENDA

ROLL CALL: COMMISSIONERS ASHLAND, BEARD, CUEVA, FLANDERS, LARICCHIA, LINDSAY, RAMIREZ

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

A. ORAL COMMUNICATIONS - PUBLIC

B. APPROVAL OF MINUTES – March 6, 2025

C. PUBLIC HEARING(S) (Authorization for the Chair to execute Resolution shall be included in the motion.)

C.1. LOT LINE ADJUSTMENT NO. LLA-035-2025
SITE PLAN NO. 154-2025

APPLICANT: BILL CHOW
LOCATION: WEST SIDE OF NEWHOPE STREET, NORTH OF WESTMINSTER AVENUE, SOUTH OF WOODBURY, AT 13781 NEWHOPE ST

REQUEST: A request for Lot Line Adjustment approval to consolidate two parcels into a single, approximately 0.28-acre lot. Also, a Site Plan request to construct a new 5,658 square-foot industrial warehouse, with an attached 3,100 square-foot parking garage, and associated site improvements. In conjunction with the request, the planning commission will consider a determination that the project is categorically exempt from the California Environmental Quality Act (CEQA).

STAFF RECOMMENDATION: Adopt Resolution No. 6110-25 approving Lot Line Adjustment No. LLA-035-2025 and Site Plan No. SP-154-2025, subject to the recommended Conditions of Approval.

D. STUDY SESSION

D.1. STUDY SESSION REGARDING PROPOSED LAND USE CODE UPDATES: Presentation and discussion of draft proposed updates Garden Grove Municipal Code Chapter 9.54 (Accessory Dwelling Units and Junior Accessory Dwelling Units) and other provisions of the Land Use Code to conform to changes in State law and City policies, and to make clarifications and typographical corrections.

RECOMMENDED ACTION: Receive Staff Presentation and Public Input, Discuss Proposed Code Updates, and Provide Comments and Direction to Staff.

E. ITEMS FOR CONSIDERATION

E.1. Review of the Code of Ethics

E.2. Presentation on the role and jurisdiction of the Planning Commission and laws generally applicable to Planning Commission meetings and decisions, including the Brown Act and the Political Reform Act.

F. MATTERS FROM COMMISSIONERS

G. MATTERS FROM STAFF

H. ADJOURNMENT

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

Meeting Minutes
Thursday, March 6, 2025

CALL TO ORDER: 7:00 p.m.

ROLL CALL:

Commissioner Ashland
Commissioner Beard
Commissioner Cueva
Commissioner Flanders
Commissioner Laricchia
Commissioner Lindsay
Commissioner Ramirez

Absent: Lindsay

Commissioner Lindsay joined the meeting at 7:07 p.m.

PLEDGE OF ALLEGIANCE: Led by Commissioner Laricchia.

ORAL COMMUNICATIONS – PUBLIC – None.

February 20, 2025 MINUTES:

Action: Received and filed.

Motion: Rameriz Second: Laricchia

Ayes:	(7)	Ashland, Beard, Cueva, Flanders, Laricchia, Lindsay, Ramirez
Noes:	(0)	None
Absent:	(0)	None

PUBLIC HEARING – SITE PLAN NO. SP-122-2023 (TE1) FOR PROPERTY LOCATED ON THE SOUTHWEST CORNER OF WESTERN AVENUE AND LINCOLN WAY AT 11311 WESTERN AVENUE.

Applicant: SCANNELL PROPERTIES #680, LLC (MARC PFLEGING)
Date: March 6, 2025

Request: A request for a one-year time extension for the entitlement approved under Site Plan No. SP-122-2023 to construct a new 88,164 square-foot

shell industrial building. A CEQA determination is not required as the project was previously exempted.

Action: Resolution No. 6108-25 was approved.

Motion: Ashland Second: Lindsay

Ayes:	(7)	Ashland, Beard, Cueva, Flanders, Laricchia, Lindsay, Ramirez
Noes:	(0)	None
Absent:	(0)	None

PUBLIC HEARING – SITE PLAN NO. SP-152-2025, FOR PROPERTY LOCATED ON THE SOUTHWEST CORNER OF LAMPSON AVENUE AND WESTLAKE STREET, AT 10852 LAMPSON AVENUE.

Applicant: TOBY NGUYEN
Date: March 6, 2025

Request: A request for site plan approval to construct a seven-unit, three-story residential apartment complex and associated site improvements on an approximately 0.29-acre lot. The proposal includes one (1) affordable housing unit for a "very low-income" household. The inclusion of one (1) "very low-income" unit qualifies the project for a density bonus, concessions, waivers, and reduced parking, pursuant to the state density bonus law. In conjunction with the request, the planning commission will consider a determination that the project is categorically exempt from the California Environmental Quality Act (CEQA).

Action: Resolution No. 6109-25 was approved.

One letter of opposition submitted by Vishwa Tiwari.

Motion: Lindsay Second: Ashland

Ayes:	(7)	Ashland, Beard, Cueva, Flanders, Laricchia, Lindsay, Ramirez
Noes:	(0)	None
Absent:	(0)	None

MATTERS FROM COMMISSIONERS: Commissioner Lindsay asked that residents of multi-family properties also receive public notice. Staff stated that this would require an amendment to the Zoning Code, and would discuss the matter further. Commissioner Laricchia spoke on concerns about red-curb parking enforcement and hiring more parking enforcement staff. Staff would forward his concern to the Public Works Department for follow-up.

MATTERS FROM STAFF: Staff stated that the March 20, 2025 Planning Commission Meeting would be cancelled and gave a brief description of the upcoming items for the April 3rd meeting.

ADJOURNMENT: At 7:45 p.m.

_____

Carol Sebbo
Recording Secretary

COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT

AGENDA ITEM NO.: C.1.	**SITE LOCATION:** West side of Newhope Street, north of Westminster Avenue, south of Woodbury Road, at 13781 Newhope Street
HEARING DATE: April 3, 2025	**GENERAL PLAN:** I (Industrial)
CASE NOS.: Lot Line Adjustment No. LLA-035-2025 & Site Plan No. SP-154-2025	**ZONE:** M-1 (Limited Industrial)
APPLICANT: Bill Chow	**APN:** 100-141-02 & 100-141-03
PROPERTY OWNER: Loc Tran	**CEQA DETERMINATION:** Exempt - Section 15303 "New Construction or Conversion of Small Structures" & Section 15305 – "Minor Alterations in Land Use Limitations"

REQUEST:

A request for approval of (1) a Lot Line Adjustment to consolidate two parcels into a single, approximately 0.28-acre lot, and (2) a Site Plan to construct a new 5,658 square-foot industrial warehouse, with an attached 3,100 square-foot parking garage, and associated site improvements.

BACKGROUND:

The subject site is currently comprised of a larger parcel, with a separate, inset parcel toward the southeast corner of the site, both of which are owned by the subject property owner. The smaller parcel was previously used as a well, but has been formally abandoned. Both parcels are currently zoned M-1 (Limited Industrial, and have a General Plan Land Use Designation of I (Industrial). To the north, south, and east, across Newhope Street, the subject property is adjacent to M-1 zoned properties. The site abuts Woodbury Elementary School in the O-S (Open Space) zone to the west.

In 1950, prior to the incorporation of the City, the property was improved with a single-family residence. In circa 1970, the property was rezoned from R-1 (Single-Family Residential) to M-1 (Limited Industrial). In 1999, a roofing contractor business was approved for the location, pending the approval of a Conditional Use Permit for a contractor storage yard. In 2002, the Planning Commission approved Conditional Use Permit No. CUP-614-02 for a contractor storage yard use, to be occupied by the aforementioned roofing business. CUP-614-02 included a condition of approval requiring the completion of a Lot Line Adjustment to consolidate the parcels into a single lot, prior to the issuance of any site improvement permits. A Lot Line Adjustment Application was never filed for compliance with the conditions of approval. Nonetheless, the contractor storage yard was operational at the location until 2018, according to business license records.

In 2018, multiple Code Enforcement cases were opened on the property, involving, but not limited to, storage of inoperable vehicles, storage of construction debris, and general property maintenance issues. In 2019, a permit was issued to demolish the existing building and associated site improvements. The demolition permit was finaled in 2020, and the Code Enforcement cases were also subsequently closed. The current property owner purchased the property in 2023.

Now, the applicant is requesting to consolidate the parcels via a Lot Line Adjustment, as was originally conditioned on the property in 2002. The requested Lot Line Adjustment would consolidate the two (2) properties into a single, 0.28-acre parcel. Upon the consolidation of the parcels, the applicant is also requesting Site Plan approval to construct a new 8,758 gross square-foot industrial building, inclusive of an attached parking garage.

PROJECT STATISTICS:

	Proposed	M-1
Minimum Lot Size	12,220 sq. ft.[1] (0.28 acres)	15,000 sq. ft. (0.34 acres)
Setbacks Front (East) Rear (West) Interior Side (North, South)	 15'-0" 1'-0" 1'-0"	 15'-0"[2] 0'-0" 0-0"
Parking	14 spaces	13 spaces
Building Height	26'-0" to roof 27'-0" to parapet	35'-0"
Building Area	8,758 sq. ft.[3]	N/A
Floor Area Ratio	0.7	1.0 Maximum[4]
Landscaping Area	1,242 sq. ft. (10.2%)	10%

DISCUSSION:

LOT LINE ADJUSTMENT:

Currently, the subject property at 13781 Newhope Street (APN: 100-141-02) has a former well site (APN: 100-141-03), of approximately twenty-nine (29'-0") feet by thirty-two (32'-0") feet, within the property line boundaries. The well parcel fronts along Newhope Street, approximately six feet (6'-0") north of the southeast corner of the larger property. The well has been abandoned, and is no longer operated by the City or any other entity. Both parcels are owned by the same, subject property owner. To accommodate the proposed building, the two parcels would be consolidated via a Lot Line Adjustment.

[1] Municipal Code Section 9.16.040.030 allows for reduced lot sizes for substandard-sized lots established prior to November 12, 1960.

[2] The M-1 zone does not explicitly establish a front setback; it requires a minimum fifteen-foot (15'-0") landscape planter at all street frontages along primary and secondary arterial streets.

[3] Including attached 3,100 square-foot parking garage.

[4] Maximum FAR requirement is derived from the Industrial (I) land use of the General Plan.

As a result of the Lot Line Adjustment, the consolidated property would ultimately total 12,220 net square feet. While this would not meet the minimum 15,000 square-foot minimum lot size required in the M-1 zone, the Municipal Code (GGMC) considers properties established before November 12, 1960 to comply with the minimum lot size currently applicable by the subject zone. The current lot configuration has been established since at least the City's incorporation in 1956.

SITE PLAN:

Site Design and Circulation

The project would consist of constructing an approximately 5,658 square-foot industrial building, with an attached 3,100 square-foot parking garage, on an approximately 0.28-acre property. The proposed building would comply with all development standards of the General Plan and GGMC, including, but not limited to, FAR, setbacks, lot coverage, building height, and parking requirements. The industrial building would be located in the rear of the site, with parking along the northern property line, and landscaping fronting toward Newhope Street. The entirety of the street frontage along Newhope Street, save for driveway and pedestrian access points, would be landscaped.

The building would feature a main entrance along the southern property line, fronting toward Newhope Street to the east. At the main entrance would be an approximately 591 square-foot office and reception area. Included next to the main entrance would also be approximately 412 square feet of storage space. Above the ground-level office and storage area would be an additional 942 square-foot second-floor office area. The remaining 3,713 square feet of the building would consist of open floor area, intended for a warehouse/distribution type use. The open warehouse area would be connected to the office area, and would feature a roll-up gate providing access to the attached 3,100 square-foot garage parking space.

	1st Floor	**2nd Floor**
Garage Parking	3,100 sq. ft.	-
Office	591 sq. ft.	942 sq. ft.
Warehouse Floor & Storage	4,125 sq. ft.	-

Vehicle traffic would access the site via a new driveway on Newhope Street. A twenty-five foot (25'-0") wide two-way drive aisle would provide vehicular circulation on-site, connecting the driveway, the outdoor parking lot, and the indoor parking garage. A mixture of standard, accessible, and compact vehicular parking spaces would be provided along either side of the drive aisle. The parking spaces would be buffered from the perimeter block wall along the north property line, and the building to the south via landscape planters. Standard parking spaces would be provided within the attached parking garage. The project is not designed to accommodate heavy duty trucks, no truck loading bays are proposed, and operation of the facility will not result in heavy truck traffic.

The interior parking garage is intended to secure employee parking. During regular daytime hours, the garage door would remain open, allowing easy access in-and-out of the warehouse area. An additional roll-up gate would be provided at the rear of the garage, allowing for pick-up and handling of deliveries into and out of the warehouse area. Adjacent to the gate at the rear of the interior garage parking, a striped maneuvering area would be provided to help vehicles turn around to exit the garage. An additional striped turnaround space would be provided exterior to the garage, to assist vehicles to turn around when the garage door is closed.

The trash enclosure for the development would be located within the interior garage parking area. During pick-up times, waste receptacles would be wheeled outside of the garage for pick-up. Republic Services has reviewed the plans, and confirmed that they would be able to serve the development as designed. The City's Engineering Division has also reviewed the on- and off-site vehicle circulation, and has not raised any concerns with the project design.

The design of the building would also provide new pedestrian access to Newhope Street. Pedestrian access from Newhope Street would pass through a landscaped area before reaching the main entrance of the building. This pedestrian access also connects to the required accessible parking space in the parking lot.

Parking

Parking requirements of the GGMC for "Industrial Uses, Buildings Less Than 20,000 of gross floor area" stipulate a minimum of 2.25 parking spaces are required per 1,000 square feet of gross floor area. Incidental offices associated with the industrial use that do not exceed 30% of the gross floor area do not require additional parking. The office space would total approximately 27.1% of the floor area, and therefore would not require additional parking.

The proposed building would be approximately 8,758 square feet in size. Of that floor area, the warehouse and storage area would be approximately 4,125 square feet, and the office approximately 1,533 square feet. Being that the garage is intended to serve as parking, the parking calculation would exclude the garage. In total, thirteen (13) parking spaces would be required for the use. The subject site would provide fourteen (14) striped parking spaces, a surplus of one (1) space. Therefore, the project would comply with all parking requirements of the GGMC.

Landscaping

The GGMC requires a minimum of 10% of the site area to be landscaped. The site would provide approximately 1,228 square feet of landscaping (10.2%), complying with the GGMC standard. The landscaping would be provided largely to the front of the building, including adjacent to the parking areas so as to limit their visual impacts. The on-site landscaping design would consist of a mixture of trees, shrubs, and groundcover.

In addition, the GGMC requires all M-1 properties fronting along a primary or secondary arterial to provide a minimum fifteen-foot (15'-0") landscaped site entry. An approximately eighteen-foot (18'-0") landscape planter would be provided along Newhope Street, a secondary arterial. The landscape site entry would include a mixture of trees, shrubs, and groundcover, including five (5) trees along the street frontage. The trees along the frontage would be planted approximately twenty feet (20'-0") apart, complying with GGMC standards. The GGMC also requires a minimum of one tree per eight (8) parking spaces. The site would provide fourteen (14) parking spaces, requiring two (2) additional trees. A total of five (5) additional trees would be provided in the parking lot area.

The applicant would be required to submit a landscape and irrigation plan to the City that complies with the landscaping requirements of the GGMC, including the Landscape Water Efficiency Guidelines. All landscaping shall be watered by means of an automatic irrigation system meeting the City's Landscape Water Efficiency Guideline requirements. A separate landscape application would be submitted, and a building permit would be obtained for the proposed landscaping.

Building Architecture

Characterized by a rectangular footprint, flat roof, and an airy office at the entrance, the building would exude a more contemporary design. The main entrance at the southeast corner of the building would feature vertical windows spanning both the first and second floors. An angular roof design, and a covered entryway would call attention to the main entrance and office area. The remainder of the building, including the warehouse and the interior parking garage would be located toward the rear of the property, and would appear more typical of traditional warehouse buildings. An angular callout feature, trimmed in wood panels, would add intrigue to the warehouse building, as well as provide a location for the building address.

At the highest point, the warehouse roof would stand approximately twenty-six feet (26'-0") tall. The roof atop the main entrance would reach to approximately twenty-seven feet (26'-9"). The building parapet atop the warehouse would extend to a maximum height of approximately twenty-seven feet (27'-0") at the highest point. Both the roofs and the parapet would be within the maximum allowable building height of thirty-five feet (35'-0") for the subject M-1 zone.

The building would largely be clad in stucco. The main entrance and office area would feature vertical aluminum panels, tinted windows, and the aforementioned angular roof feature. The neutral color scheme for the building would consist of shades of whites and greys, which contributes to the building's contemporary design. Window and door trim would all constructed of metal, trimmed chrome to add contrast. The garage door would be of aluminum, with integrated lites to provide natural lighting into the building. The roof parapet would feature a chrome aluminum cap as well, to match the other fixtures and hardware on the building.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):

CEQA's Class 3 exemption applies to the new construction or conversion of small structures. (CEQA Guidelines §15303.). A project can qualify for a Class 3 exemption if the proposed project is the new construction of a store, motel, restaurant, and other similar structures not involving hazardous materials, and not exceeding 10,000 square feet in urbanized areas (CEQA Guidelines §15303(c).).

The subject site is located fully within an urbanized area in the City, on a 0.28-acre site. The project proposes a new 5,658 square-foot industrial warehouse with an attached 3,100 square-foot parking garage. The proposed use of the building would not involve the storage of hazardous materials. Therefore, it can be determined that construction of the proposed warehouse facility and associated improvements is exempt from CEQA pursuant to CEQA Guidelines Section 15303.

CEQA's Class 5 exemption applies to minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density (CEQA Guidelines §15305.). This includes minor lot line adjustments, that do not result in the creation of a new parcel (CEQA Guidelines §15305.(a)). The subject request does not involve slopes greater than 20%, changes to land use or density, and removes lot lines between two existing properties, consolidating them into a single parcel. Therefore, the proposed lot line adjustment is exempt from CEQA pursuant to CEQA Guidelines Section 15305.

RECOMMENDATION:

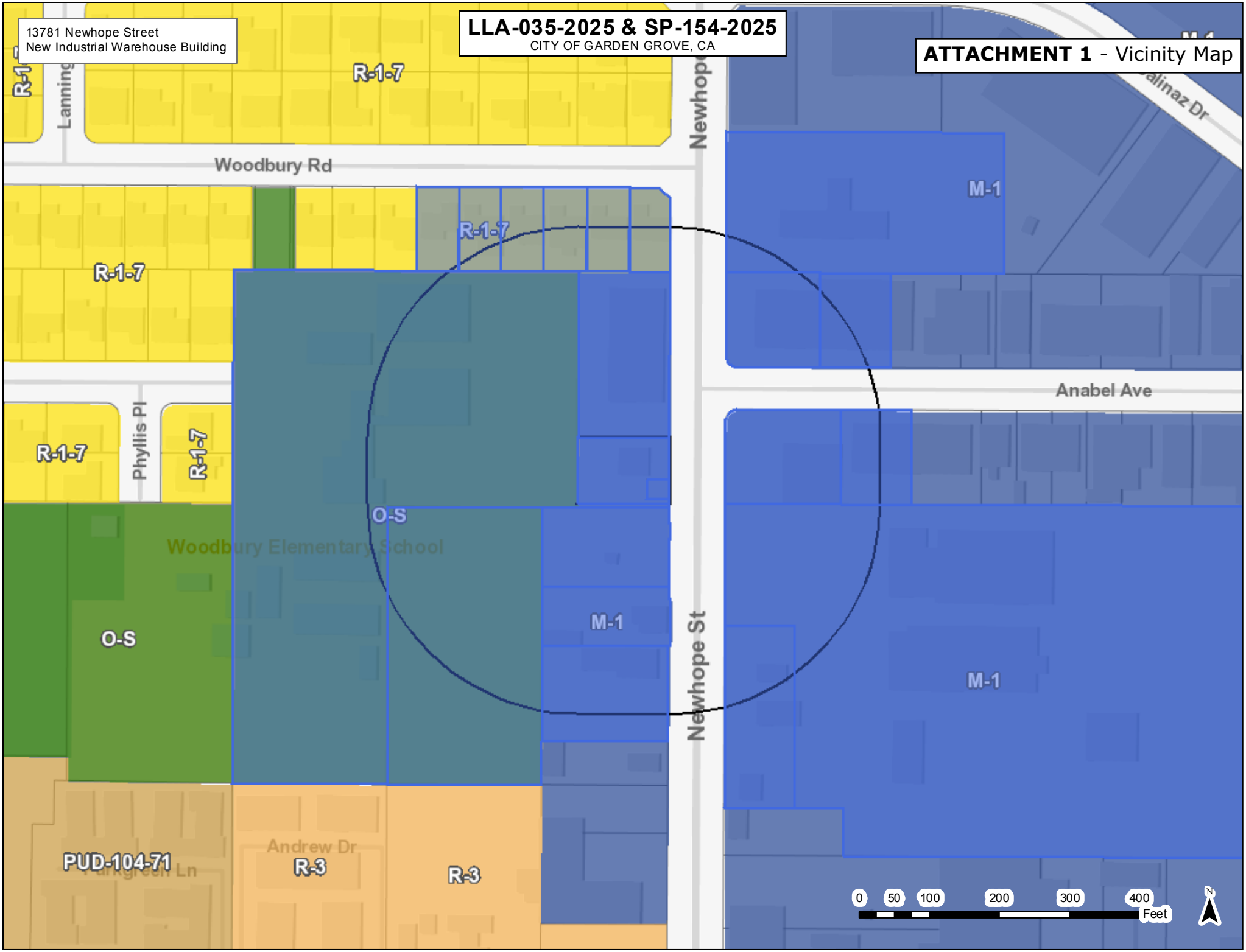
Staff recommends that the Planning Commission take the following action:

- Adopt Resolution No. 6110-25 approving Lot Line Adjustment No. LLA-035-2025 and Site Plan No. SP-154-2025, subject to the recommended Conditions of Approval.

Maria Parra
Planning Services Manager

By: Priit Kaskla, AICP
Associate Planner

Attachment 1: Vicinity Map
Attachment 2: Plans
Attachment 3: Lot Line Adjustment Application
Attachment 4: Resolution No. 6110-25 with Exhibit "A" – Conditions of Approval


13781 Newhope Street
New Industrial Warehouse Building
LLA-035-2025 & SP-154-2025
CITY OF GARDEN GROVE, CA
ATTACHMENT 1 - Vicinity Map
R-1-7
Woodbury Rd
Newhope St
M-1
Anabel Ave
Phyllis Pl
O-S
Woodbury Elementary School
PUD-104-71
Andrew Dr
R-3
0
50
100
200
300
400
Feet
N

GENERAL NOTES

1. THE CONTRACTOR AND/OR SUB-CONTRACTORS SHALL VISIT AND REVIEW CONDITIONS PRIOR TO SUBMITTING BIDS.

2. THE CONTRACTOR SHALL ASSUME SOLE AND COMPLETE RESPONSILBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT INCLUDING SAFETY OF ALL PERSONS & PROPERTY. THIS REQUIREMENT SHALL APPLY CONTINUOUSLY & NOT BE LIMITED TO NORMAL WORKING HOURS. THE CONTRACTOR SHALL PROVIDE PUBLIC PROTECTION AS NECESSARY & REQUIRED BY GOVERNING CITY AGENCIES.

3. THE WORK SHALL CONFIRM TO THE APPLICABLE BUILDING CODE AND OTHER ORDINANCES CODES & REGULATIONS LISTED IN THE SPECIFICATIONS OR ON THE DRAWINGS, & REQUIRED BY LOCAL BUILDING AUTHORITIES. THE GOVERNING CODES, RULES & REGULATIONS ARE COLLECTIVELY REFERRED TO AS "THE CODE". THE CONTRACTOR SHALL REPORT ANY INCONSISTENCIES, CONFLICTS OR OMISSIONS HE MAY DISCOVER TO THE ARCHITECT FOR INTERPRETATION PRIOR TO PERFORMING THE WORK.

4. THE GENERAL CONTRACTOR SHALL VERIFY ALL CONDITIONS & DIMENSIONS ON THE JOB SITE & REPORT ANY & ALL DISCREPANCIES AND/OR UNUSUAL CONDITIONS TO THE DESIGNER PRIOR TO FINALIZING BIDS OR COMMENCEMENT OF ANY CONSTRUCTION.

5. TRADE NAMES AND MANUFACTURES REFERRED TO ARE FOR QUALITY STANDARDS ONLY. SUBSTITUTIONS WILL BE PERMITTED WHERE SUBMITTED TO AND APPROVED BY THE OWNER & DESIGNER PRIOR TO THEIR PURCHASE AND INCORPORATION INTO THE WORK.

6. PROVIDE APPROVED FIRE EXTINGUISHERS AS REQUIRED BY FIRE MARSHALL. LOCATIONS SHALL BE DETERMINED IN THE FIELD BY THE FIRE MARSHALL.

7. THE CONTRACTOR SHALL OBTAIN & PAY FOR ALL PERMITS & VERIFY GOVERNING AUTHORITIES' REQUIREMENTS FOR CONSTRUCTION.

8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL COSTS FOR INSPECTIONS AND/OR TESTS, UNLESS NOTED OTHERWISE.

9. ALL RAMPS SHALL HAVE A NON-SLIP FINISH.

10. DO NOT SCALE THESE DRAWINGS. SHOULD ANY DIMENSIONAL DISCREPANCIES BE ENCOUNTERED, CLARIFICATIONS SHALL BE OBTAIN FROM THE DESIGNER

11. UNLESS OTHERWISE NOTED ON THESE DRAWINGS OR IN THE SPECIFICATIONS AS BEING N.I.C. OR EXISTING, ALL ITEMS, MATERIALS, etc., & THE INSTALLATION OF SAME ARE A PART OF THE CONTRACT DEFINED BY THESE DRAWING SPECIFICATIONS.

12. THE BUILDING & ITS FACILITIES SHALL BE ACCESSIBLE TO & FUNCTIONAL TO THE PHYSICALLY HANDICAPPED.

13. PROVIDE EXIT SIGNS AT ALL LEGAL EXITS AS REQUIRED BY CODE. EXIT SIGNS, WHERE, INDICATED ON PLANS, SHALL BE ILLUMINATED & READ "EXIT" IN 6" HIGH LETTERS. EXITS SIGNS SHALL BE ON CIRCUIT & INDEPENDENTLY CONTROLLED REFER TO ELECTRICAL DRAWINGS.

14. DETAILS ARE INTENDED TO SHOW THE INTENT OF THE DESIGN. MINOR MODIFICATIONS MAY REQUIRED TO SUIT THE FIELD DIMENSIONS OR CONDITIONS & SUCH MODIFICATION SHALL BE INCLUDED AS PART OF THE WORK OF THE CONTRACT.

15. ALL INTERIOR WALL DIMENSIONS ARE TO THE FACE OF THE STUD UNLESS OTHERWISE NOTED.

16. ALL EXTERIOR WALL DIMENSIONS ARE TO FACE OF CONCRETE BLOCK OR TO FACE OF STUD, UNLESS OTHERWISE NOTED.

17. THE CLIENT, DESIGNER, CONSULTANTS & ALL INSPECTORS FROM PERTINENT AGENCIES SHALL BE PERMITTED ACCESS TO THE JOB SITE AT ALL TIMES DURING NORMAL WORKING HOURS.

18. THE CONTRACTOR SHALL PROVIDE SOLID BLOCKING, UNLESS NOTED OTHERWISE AS REQUIRED FOR NAILING OF ALL INTERIOR & EXTERIOR TRIMS, FINISHES, AND SHALL PROVIDE FOR ALL THE NECESSARY FRAMING & BRACING FOR THE INSTALLATION OF N.I.C. EQUIPMENT INDICATED.

19. PROVIDE VENTILATION FOR ALL ELECTRICAL & TELEPHONE EQUIPMENT ROOMS.

20. MECHANICAL VENTILATION SHALL SUPPLY A MINIMUM 5 CFM OF OUTSIDE AIR, EXCEPT IN TOILET ROOMS WHERE FIVE (5) AIR CHANGES PER HOUR SHALL BE PROVIDED. SYSTEM MUST PROVIDE A TOTAL CIRCULATION OF NOT LESS THE 15 CUBIC FEET PER MINUTE PER OCCUPANT IN ALL PORTIONS OF THE BUILDING. REFER TO MECHANICAL DRAWINGS.

21. PROVIDE METAL TRIM OR CASING AT ALL EDGES OF PLASTER OR DRYWALL WHERE IT TERMINATES OR MEETS ANY OTHER MATERIAL, EXCEPT FLOORS.

22. THE CONTRACTOR SHALL VERIFY LOCATION & SIZE OF ALL FLOOR, ROOF, & WALL OPENINGS WITH ALL APPLICABLE DRAWINGS.

23. KEEP PIPING AS CLOSE TO WALLS & AS HIGH TO UNDERSIDE OF ROOF FRAMING AS POSSIBLE.

24. WHERE LARGER STUDS OR FURRING ARE REQUIRED TO COVER DUCTS, PIPING CONDUIT, etc., THE LARGER STUD OR FURRING SHALL EXTEND THE FULL LENGTH OF THE SURFACE INVOLVED.

25. THE CONTRACTOR SHALL VERIFY INSERTS & EMBEDDED ITEMS W/ALL APPLICABLE DRAWINGS BEFORE POURING CONCRETE.

26. ALL EXTERIOR EXPOSED METAL (TRIMS, RAILING, FRAMES, MOLDINGS etc.) SHALL BE PAINTED, UNLESS NOTED OTHERWISE.

27. IN ALL CASES, PROVIDE ISOLATION OF ALUMINUM FROM ADJACENT STEEL OR COAT SURFACES IN CONTACT WITH BITUMINOUS PAINT.

28. ALL EXTERIOR WALL OPENINGS, FLASHING, COPING, & EXPANSION JOINTS SHALL BE WEATHERPROOF.

29. ALL ROOF DRAINS SHALL BE LOCATED AT THE LOWEST POINT OF THE ROOF TAKING INTO CONSIDERATION THE OF BEAMS & DEFLECTION OF CANTILEVERS. CONTRACTOR SHALL VERIFY THAT POSITIVE DRAINAGE EXISTS FROM ALL POINTS ON ROOF PRIOR TO INSTALLING DECK.

30. SIZES OF MECHANICAL EQUIPMENT PADS, BASES, ROOF EQUIPMENT PADS, & OPENINGS ARE BASIS FOR DESIGN ONLY. CONTRACTOR SHALL VERIFY ALL DIMENSIONS OF ALL EQUIPMENT PADS & BASES WITH EQUIPMENT MANUFACTURERS. MECHANICAL CONTRACTORS SHALL VERIFY ALL SIZES & LOCATIONS OF DUCT OPENINGS ON ROOF.

31. GLAZING NOTES:

A: ALL FIXED & OPENABLE WINDOWS FROM ZERO TO 50 SQ. FT. IN AREA SHALL HAVE 2" MINIMUM GLASS GRIP & ü MINIMUM GLASS EDGE CLEARANCE.

B: ALL FIXED & OPENABLE WINDOWS OVER 50 SQ. FT. IN AREA SHALL HAVE I MINIMUM GLASS GRIP & 2" MINIMUM GLASS EDGE CLEARANCES.

C: GLAZING IN ALUMINUM DOORS SHALL HAVE i" MINIMUM GLASS GRIP & 6 MINIMUM GLASS EDGE CLEARANCE.

D: ALL WINDOWS & DOOR GLAZING SHALL HAVE CONTINUOUS GLAZING RABBET & GLASS RETAINER & RESILIENT SETTING MATERIAL.

32. SUSPENDED ACOUSTICAL CEILING SYSTEMS SHALL BE INSTALLED IN ACCORDANCE WITH 2013 CBC SECTION 808 1

33. THE BUILDING SHALL BE COMPLETELY SPRINKLED WITH AN AUTOMATIC FIRE EXTINGUISHING SYSTEM AS APPROVED BY THE GOVERNING FIRE DEPARTMENT, BUILDING DEPARTMENT, AND THE OWNER'S FIRE INSURANCE RATING BUREAU. COPIES OF FIRE DEPARTMENT & INSURANCE BUREAU APPROVED PLANS SHALL BE SUBMITTED TO THE BUILDING DEPARTMENT FOR CHECKING & APPROVAL PRIORTO INSTALLATION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DESIGN & CONSTRUCTION OF A COMPLETE SYSTEM, FROM CONNECTION TO THE SITE WATER MAIN (OR SITE FIRE SERVICE VAULT WHERE PROVIDED) TO THE BUILDING INTERIOR SPRINKLER DISTRIBUTION. REFER TO SITE UTILITY PLANS. ALL SPRINKLER LINES SHALL RUN CONCEALED IN ALL FINISHED, AREAS, INTERFERENCE WITH LIGHTS, DUCTS, PIPES, etc., SHALL BE AVOIDED. EXPOSED PIPING IN FINISHED AREAS WILL NOT BE ACCEPTABLE. AUTOMATIC FIRE EXTINGUISHERS SYSTEM MUST BE FULLY OPERATIONAL & ENERGIZED PRIOR TO FIXTURIZATION OF THE BUILDING.

34. FIRE SPRINKLER PLAN UNDER SEPARATE PERMIT.

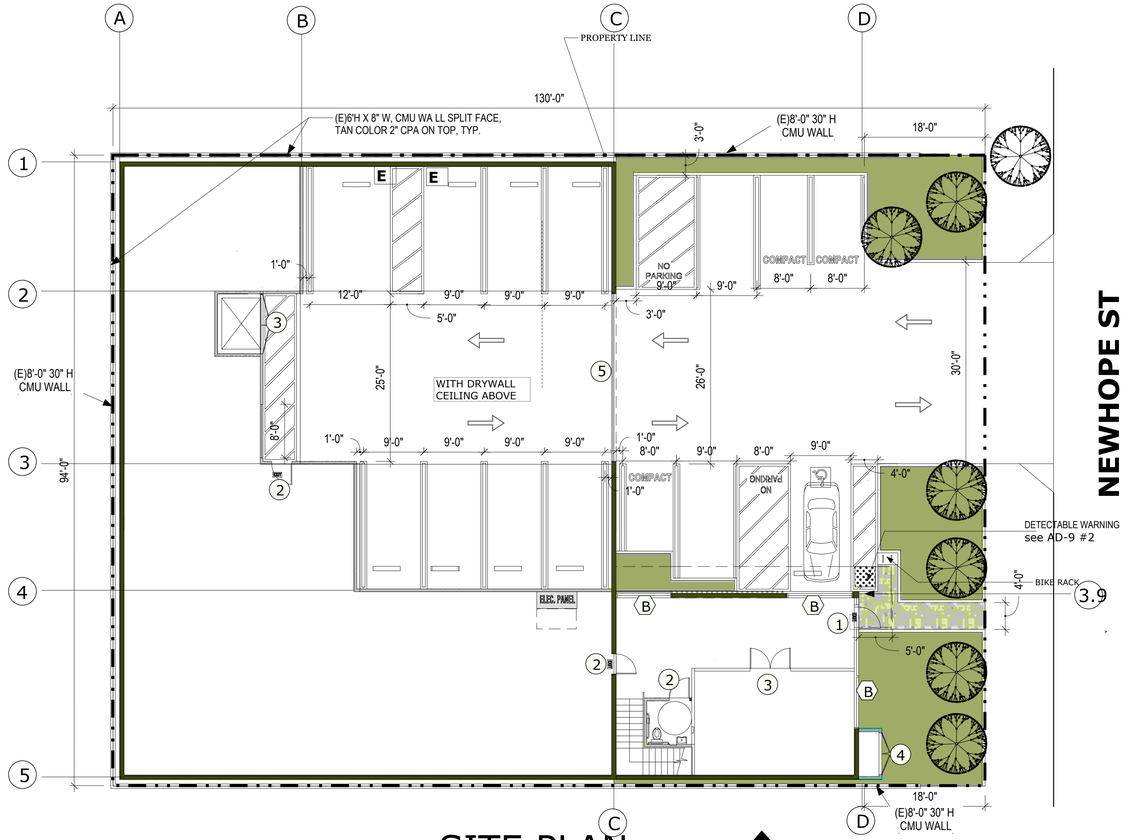
35. ALL ROOF-MOUNTED MECHANICAL EQUIPMENT MUST BE SCREENED FROM VIEW FROM ADJACENT STREETS, THE FREEWAY AND SURROUNDING PROPERTIES. SCREENING STRUCTURES SHALL BE ARCHITECTURALLY COMPATIBLE WITH MAIN BUILDING. SUBMIT PLANS, ELEVATIONS, AND CONSTRUCTION DETAILS FOR REVIEW AND APPROVAL BY PLANNING DEPARTMENT AND BUILDING DIVISION.

36. AUTOMATIC FIRE SPRINKLER AND FIRE DETECTION AND ALARM SYSTEM PLANS SHALL BE SUBMITTED TO THE WEST COVINA FIRE DEPARTMENT FOR REVIEW AND APPROVAL. DESIGN AND INSTALLATION SHALL CONFORM TO NFPA STANDARDS, 2007 CALIFORNIA ELECTRICAL CODE, AND STATE FIRE MARSHAL REGULATIONS."

FIRE DEPARTMENT NOTES

1. AUTOMATIC FIRE EXTINGUISHING SYSTEM(S) IN THE GREASE HOOD AND DUCT ARE REQUIRED IN THE KITCHEN AREA. SUBMIT SHOP DRAWINGS AND A PERMIT APPLICATION TO THE ONTARIO FIRE DEPARTMENT FOR APPROVAL.
2. K CLASS FIRE EXTINGUISHER(S) WITHIN 30 FEET OF COOKING INVOLVING VEGETABLE OR ANIMAL OIL AND FATS (SUCH AS DEE FAT FRYERS), AS MEASURED ALONG AN UNOBSTRUCTED PATH OF TRAVEL, ARE REQUIRED IN THE KITCHEN AREA.
3. PANIC HARDWARE OR FIRE EXIT HARDWARE (RATED PANIC HARDWARE), AS APPLICABLE, ARE REQUIRED ON ALL EXIT DOOR FORM ASSEMBLY AREAS/ ROOMS.
4. ASSEMBLY PERMIT IS REQUIRED. CONTACT THE BUREAU OF FIRE PREVENTION AT FIRE DEPARTMENT FOR INFORMATION.
5. ALL PORTIONS OF THE BUILDING SHALL BE WITHIN 75 FEET OF A FIRE EXTINGUISHER. THE MINIMUM SIZE OF THE EXTINGUISHER SHALL BE 2-A: 10-BC.
6. TACTILE EXIT SIGNS SHALL BE PROVIDED AS REQUIRED TO COMPLY WITHIN SECTION 1003.2.8.6.
7. EMERGENCY LIGHTING PER SECTION 1003.2.9.2 IS REQUIRED.
8. EACH SINGLE SYSTEM PROVIDING HEATING OR COOLING AIR IN EXCESS OF 2,000 CUBIC FEET PER MINUTE SHALL BE EQUIPPED WITH AN AUTOMATIC SHUTOFF ACTIVATED BY SMOKE DETECTORS.
9. COMBINATION FIRE/ SMOKE DAMPERS (FSD'S) SHALL BE PROVIDED AS REQUIRED TO COMPLY WITH SECTIONS 713.10 & 713.11.
10. FIRE SPRINKLER PLAN UNDER SEPARATE PERMIT. ALTER THE SPRINKLER SYSTEM AS NEEDED BY NEW PARTITIONS, FLOORS AND CEILINGS. SUBMIT SHOP DRAWINGS (3 SETS) AND A PERMIT APPLICATION TO THE ONTARIO FIRE DEPARTMENT FOR APPROVAL BEFORE ALTERING THE SYSTEM.
11. A MANUAL FIRE SPRINKLER SYSTEM AS REQUIRED FOR GROUP A, DIVISION A 2.1 OCCUPANCIES SHALL BE PROVIDED. SUBMIT SHOP DRAWINGS (3 SETS) AND A PERMIT APPLICATION TO THE ONTARIO FIRE DEPARTMENT FOR APPROVAL BEFORE ALTERING THE SYSTEM.
12. THE ONTARIO FIRE DEPARTMENT MUST BE CONTACTED A MINIMUM OF 7-10 DAYS IN ADVANCE TO SCHEDULE INSPECTIONS.
13. MISSING FIREPROOFING MATERIAL MUST BE REPLACED BEFORE CONSTRUCTION FINAL.
14. PENETRATIONS INTO, OR THROUGH, FIRE RESISTIVE CONSTRUCTION MUST ABLE FIRESTOPPED IN ACCORDANCE WITH CBS, CHAPTER 7.
15. PREMISE IDENTIFICATION NUMBERS SHALL BE MOUNTED ON THE FRONT AND REAR DOORS.
16. DEMOLITION AND CONSTRUCTION SAFETY MUST COMPLY WITH CFC, ARTICLE 87 AND CBC CHAPTER 33.
17. PLACEMENT OF PORTABLE FIRE EXTINGUISHERS SHALL BE DETERMINED BY THE FIRE INSPECTOR. EQUIPMENT MUST BE MOUNTED BEFORE CONSTRUCTION FINAL. MINIMUM RATING IS 2A10BC.
18. FIRE ALARM, SPRINKLER MODIFICATIONS, AWNINGS, KITCHEN HOOD FIRE PROTECTION SYSTEMS, KITCHEN HOOD CANOPY AND DUCTING, CERAMIC DUCT WRAP, VEHICLE AND PEDESTRIAN GATING, EVACUATION PROCEDURES AND MAPS, ASBESTOS REMOVAL, UNDERGROUND OR ABOVE GROUND TANKS AND ACCESSORIES, FIRE HYDRANT AND UNDERGROUND PIPING INSTALLATIONS AND OTHER NON-STRUCTRAL BUILDING ELEMENTS ARE PERMITTED SEPARATELY BY THE FIRE DEPARTMENT. A LIST OF DEFERRED SUBMITTALS SHALL APPEAR ON THE COVER PAGE OF THE DRAWING SUBMIT A MINIMUM OF 3 SETS OF DRAWINGS FOR REVIEW AND APPROVAL PRIOR TO START OF INSTALLATION.
19. ALL FIRE DEPARTMENT FEES SHALL BE REVIEWED, APPROVED AND PAID AT FIRE ADMINISTRATION (IF THERE IS A BALANCE) BEFORE CONSTRUCTION FINAL OR ISSUANCE OF TEMPORARY OCCUPANCY.
   A. PLAN REVIEW
   B. EXPEDITE PLAN REVIEW OR INSPECTIONS
   C. FIRE PROTECTION INSPECTIONS IN EXCESS OF 2 INSPECTIONS
   D. ALL CONSTRUCTION INSPECTIONS
   E. NON-COMPLIANCE FEES
   F. ADDITIONAL ACCUMULATED FEES RELATED TO THE ABOVE ITEMS
20. A LOCK BOX MUST BE INSTALLED AT A LOCATION DETERMINED BY THE FIRE INSPECTOR. APPLICATIONS ARE AVAILABLE FROM FIRE ADMINISTRATION. INSTALLATION SHALL BE COMPLETED BEFORE CONSTRUCTION FINAL.
21. DECORATIVE MATERIALS AND FINISHES SHALL COMPLY WITH C.C.R. TITLE 19, SECTION 3.08 AND CBC, CHAPTER 8 REQUIREMENTS.
22. A COPY OF THE GREASE PICK-UP SCHEDULE WILL BE PROVIDED AT TIME OF KITCHEN HOOD FIRE PROTECTION TESTING.
23. TWO COPIES OF THE AIR BALANCE REPORT FOR EXHAUST/MAKE-UP AIR BALANCE WILL BE PROVIDED AT TIME OF KITCHEN HOOD FIRE PROTECTION TESTING.

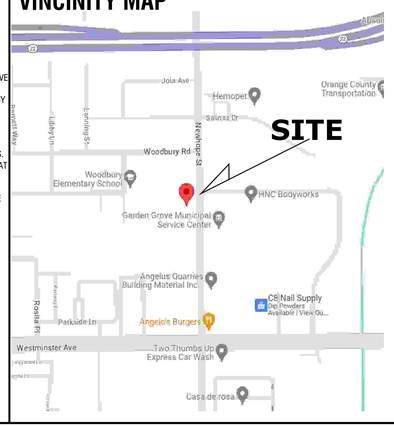
Note: Property will need written approval/agreement from all neighboring properties to access and/or potential disruptions to their site during construction.



SITE PLAN

SCALE : 3/32" = 1'

VINCINITY MAP



SHEET INDEX

CODES OF DESIGN

CBC 2022 CALIFORNIA BUILDING CODE
CEC 2022 CALIFORNIA ELECTRICAL CODE TITLE 24, PART 3
CMC 2022 CALIFORNIA MECHANICAL CODE TITLE 24, PART 4
CPC 2022 CALIFORNIA PLUMBING CODE (CPC)
2022 California Energy Code (CEnC) (2020 Building Energy Efficiency Standards),
2022 California Green Building Standards Code (CALGreen)

DEFERRED SUBMITAL ITEMS

FRIE SPRINKLER SYSTEM

PLANNING DEPT. NOTES :

Property will need written approval/agreement from all neighboringproperties to access and/or potential disruptions to their site during construction.

ENGINEERING DEPT. NOTES :

Construct a new sidewalk, and curb and gutter for the new driveway accordance with Garden Grove Standard B along the property frontage, in accordance with City Standard Plans B- 113, B-114, B-105, and B-106.

CONTRACTOR TO VERIFY

NOTE: CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL EXISTING FILED CONDITIONS. CONTRACTOR WILL NOTIFY SPACES IMMEDIATELY AS TO ANY DISCREPANCIES BETWEEN FIELD CONDTIONS AND WORKING DRAWINGS.

ATTACHMENT 2 - Project Plans

OWNER INFORMATION

Property Owner: Mr. Loc Tran
Email: tran.tpi@gmail.com

Architect
Archie Jiang
1762 Manor Gate Rd.
Hacienda Hts, CA91745
TEL:626-712-5596
E-mail: archiejiang@gmail.com

Mech/Elec/Plumbing Engineering
DC CONSULTING
11259 Heritage Way
Covina, CA 91724
TEL:213-910-6006
E-mail: weilideng123@gmail.com

PROJECT DETA

ASSESOSSOR'S ID NO:
PROPERTY TYPE: COMMERCIAL
ZONING : M
CONSTRUCTION TYPE : TYPE VB - w/ FIRE SPINKLER SYS.
MAX BUILDING HT: 28' (35' allowable)
STORIES: #2
SPRINKLERS: DEFERRED SUBMITTAL

PROPERTY ADDRESS:	13781 Newhope St., Garden Grove CA92843
ZONING :	
PROPERY SIZE:	0.28 AC
MIN. LOT SIZE:	
PROPOSED LOT NO.	
AVG. SLOPE:	3%
REQUIRE BUILDING AREA:	
FRONT SETBACK:	15'
SIDE SETBACK:	1'
REAR SETBACK:	1'
MAX. ALLOWABLE BUILDING HTS:	35'
MAX. ALLOWABLE FENCE HTS.	6'
GRADING	FLAT
SLOPE RESTRICTIONS(HEIGHT & GRADIENT)	N/A
CUT OR FILL OR IMPORT QUANTITY LIMITATION	N/A

PARKING ANALYSIS

WAREHOUSE		
1ST FLOOR AREA	4125 sf	
INDOORS GARAGE		3100 sf
OFFICE		
1ST FLOOR AREA	591 sf	
2ND FLOOR AREA	942 sf	
TOTAL AREA	5658 sf	
PARKING REQUIRED	5658 sf/ 1000 sf X 2.25 =12.73, Say 14, 1 accessible	
PARKING PROVIDED	14 Parking w/ 1 accessible, 3 compact -parking	
NOTE: WITH INDOOR PARKING AREA: 3100 SF		

FAR ANALYSIS

WAREHOUSE		
1ST FLOOR AREA	6813 sf	INCLUDING INDOORS PARKING GARAGE
OFFICE		
1ST FLOOR AREA	1006 sf	W/ RECESS SPACE
2ND FLOOR AREA	1006 sf	
OVERHANG CANOPY	214 sf	
TOTAL AREA	9036 sf	
LOT SIZE 130'X94'	12,220 sf	
FAR	9036 / 12220= 0.74 <1 OK	

LANDSCAPING RATIO

LANDSCAPING AREA: 1242 sf
LOT AREA: 12220 sf
1242 /12220 = 10.16 % > 10% #Ok

SCOPE OF WORK:

NEW WAREHOSUE BUILDING TOTAL 5821 SF, INCLUDING 1952 SF OFFICE.

NOTES:

THE BUILDING SHALL BE PROVIDED WITH APPROVED ADDRESS IDENTIFICAITON. THE ADDRESS IDENTICAITON SHALL BE LEGIBLE AND PLACED INA POSITION THAT IS VISIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY.

KINGSTON

Archie Jiang, architect
1762 Manor Gate Rd.
Hacienda Hts., CA 91745
TEL : (626) 712-5596

REVISIONS	DATE	BY

LICENSED ARCHITECT
CHYI-JYUN JIANG
C-25528
FEB 28 2025
RENEWAL DATE
STATE OF CALIFORNIA

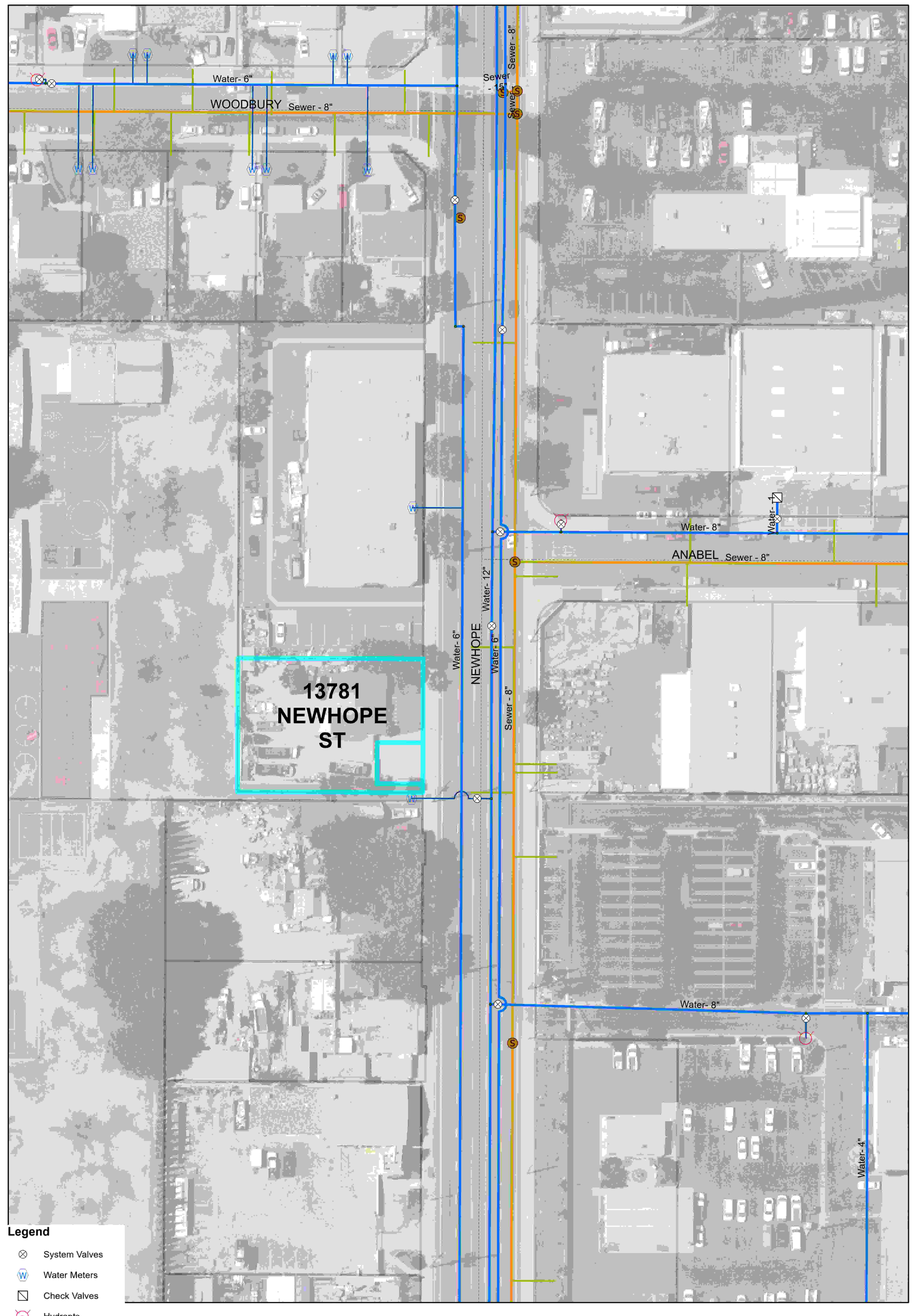
PROJECT: TPI International
NEW WAREHOSUE PROJECT
13781 Newhope St., Garden Grove CA92843

TITLE : SITE PLAN & PROJECT DATA

JOB NO:

DATE: 09-12-2024

SHEET: A - 1

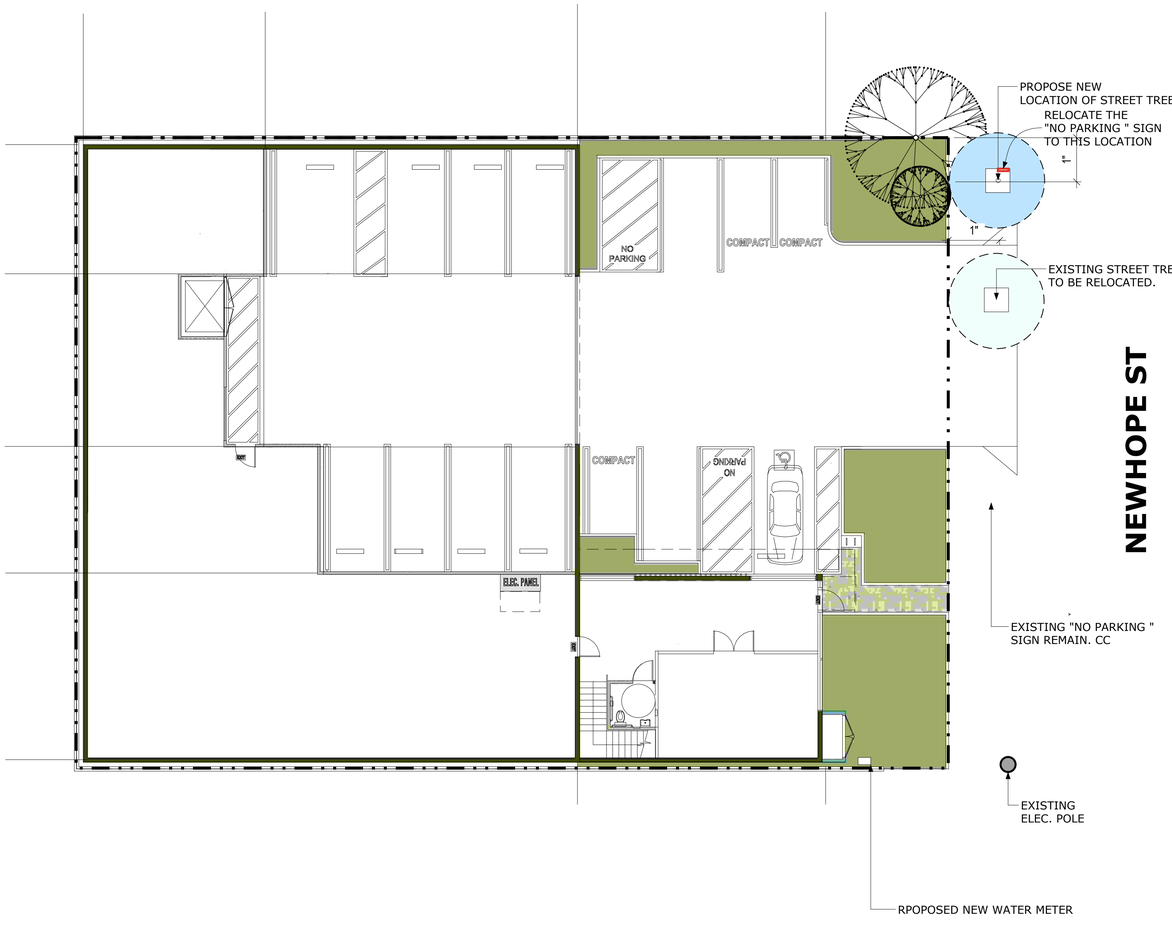


Legend

- System Valves
- Water Meters
- Check Valves
- Hydrants
- Water Main - Active
- Water Service Line
- Sewer Manholes
- Sewer Lateral
- Sewer Main - Active

Note: Utilities shown on this map are for information only.
It is the developer's responsibility to field verify the actual locations of all the utilities. Developer can place a formal request through the Water Service Division for as-built drawings and any other related maps.

Utility Map - 13781 Newhope St



ENGINEERING DEPT.
NOTES :

Construct a new sidewalk, and curb and gutter for the new driveway
accordance with Garden Grove Standard B
along the property frontage, in accordance with City Standard Plans B- 113, B-114, B-105, and

KINGSTON

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REVISIONS	DATE	BY

LICENSED ARCHITECT
QINYI-JIUN JIANG
C-25528
FEB 28 2025
RENEWAL DATE
STATE OF CALIFORNIA

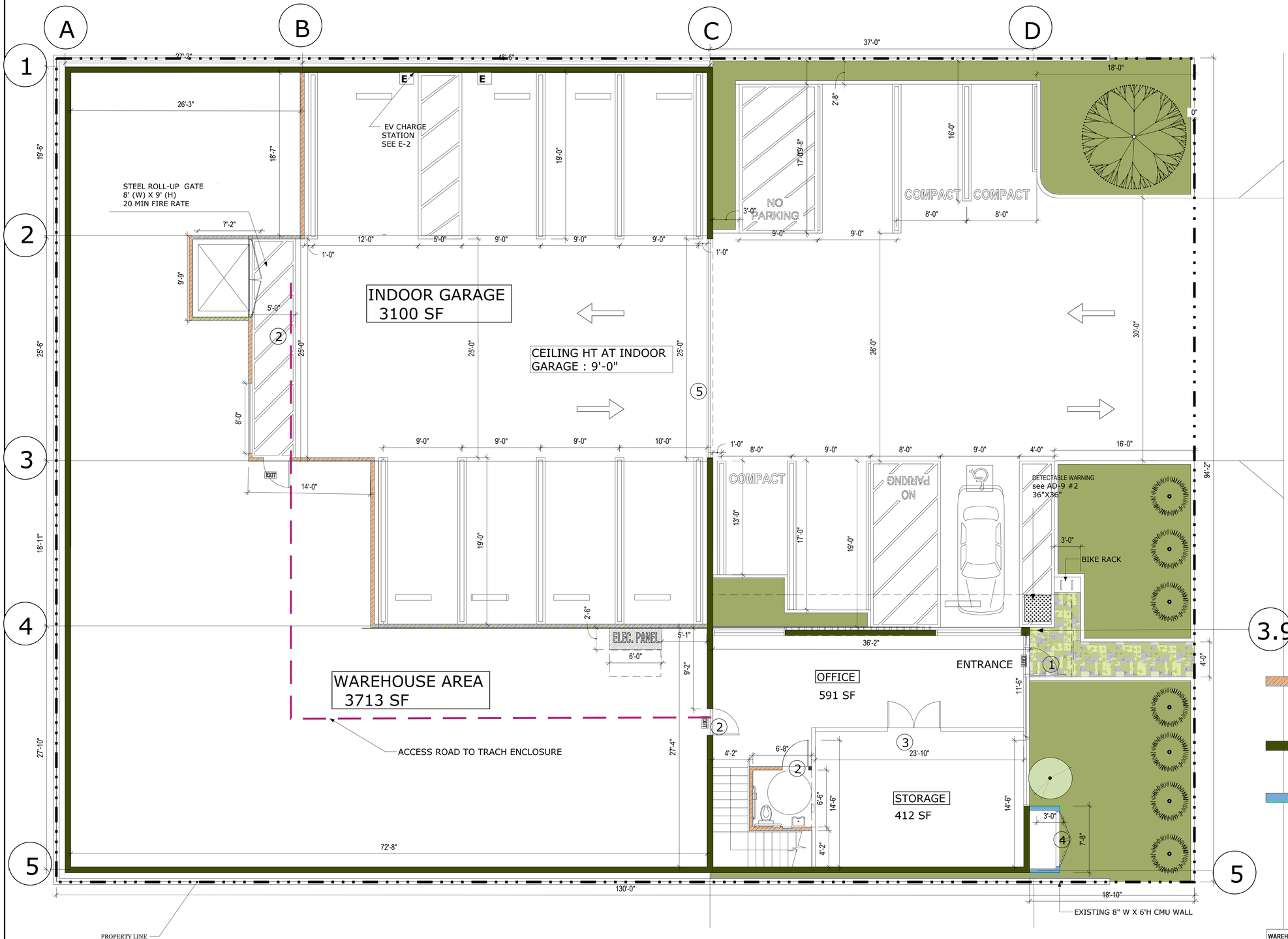
PROJECT:
TPI International
NEW WAREHOSUE PROJECT
13781 Newhope St., Garden Grove CA92843

TITLE : STREET IMPROVEMENT PLAN

JOB NO:

DATE: 09-12-2024

SHEET: **A - 1.1**



NOTES:

1) ALL DOORS SHALL BE PROVED WITH LEVEL TYPE HARDWARE.
2) ALL DOOR HARDWARE & RESISTANT PRESSURE MUST COMPLY WITH ADA AND TILTE 24 STANDARDS.
3) ALL REATED DOORS SHALL HAVE AN 'S" LABLE.
4) PROVIDE PANIC HARDWARE FOR ALL EXIT DOORS.
5) PROVIDE SELF-CLOSING EXTERIORS & RESTROOMS' DOORS.
6) MAX. OPERATING PRESSURE 5LB INTERIORS & EXTERIORS DOORS.
7) ALL REQUIRED DOORS SHALL BE 32" CLEAR OPENING AT 90 DEGREES.
8) EXIT DOORS WILL BE MINIMUM OF 3 FEET BY 6-8" WITH A SMINMUM DOOR SWING OF 90 DEGREES.
9) HAND ACTIVATED DOOR OPENING HARDWARE SHALL BE CENTERED BERTWEEN 30" TO 44" ABOVE FINISHED FLOOR (SEC.1133B2.5.2.)

TYPICAL PARTITION NOTES

1. ALL FIRE RATED PARTITIONS SHALL COMPLY WITH CBC, CHAPTER 7.
2. ALL FIRE RATED PARTITIONS SHALL BE FULLY SEALED AT TOP AND BOTTOM CONNECTIONS WITH CONITINUOUS FIRESTOP CAULKING.
3. ALL PENETRATIONS THROUGH FIRE RATED PARTITIONS SHALL BE FULLY SEALED AND FITTED WITH APPROPPRIATELY SIZED FIRE DAMPERS.
4. ALL OPENINGS IN FIRERATED CORRIDOR WLLS SHALLL BE FIRERATED ASSEMBLES W/CLOSER.
5. ALL PARTITIONS TO BE FIRE AND INDEPENDENT OF CEILING SUSPENSION SYSTEM. U.O.N.
USF 5/8' TYPE "X" MOISTURE RESISTANT GYP. BD. WHERE CERAMIC TILE OCCURS.
6. WHERE RETURN AIR OPENINGS ARE REQUIRED IN PARTITION. INSTALL PROPERLY SIZED SOUND BOOTS. INCREASE WALL STRUNGTH AS NEEDED WHERE CABINETRY IS SUPPORTED BY WALL.
7. ALL INTERIOR NON SLAB TO SLAB PARTITIONS TO EB CROSS BARCED WITH KICKER STUDS FROM TOP OF PRTITIONTO STRUCTURE ABOVE. KICKERS TO BE 2-1/2" X 25 GA (MIN) STUDS @ 45 DEGREES OFF HORIZONTAL. 4'-0" O.C. ALTERNATE DIRECTIONS. U.O.N. RUNNER TRACK: 20 GA. MIN, GYP. BD. FASTNING: SELF DRILLING SPACING 8" O.C. HORIZONTAL INSTALLATION, 12: O.C. VERT. INST.

WALL LEGEND

NEW 2 X 4 STUD WALL @ 16" O.C. W/ PLYWOOD SHEATHING PER STRUCTURAL. FINISH INTERIOR W/ 5/8" GYP. BD. USE TILE BACKER BOARD AT RESTROOMS & MOISTURE RESISTANT PURPLE GYP. BOARD AT ALL OTHER WET AREAS

NEW CMU WALL 8"X16"X8" (H) WITH WITH STUCCO ON EXTERIOR

NEW EXTERIOR 2 X 8 STUD WALL @ 16" O.C. WITH " TYPE "X" GYPSUM BOARD ON INSIDE AND 5/8" SHEATHING WITH 1" STUCCO ON EXTERIOR

WAREHOUSE		
1ST FLOOR AREA	4125 sf	W/ 412 sf STORAGE
INDOOR GARAGE	3100 sf	
OFFICE		
1ST FLOOR AREA	591 sf	
2ND FLOOR AREA	942 sf	
TOTAL AREA	5658 sf	w/o INDOOR GARAGE

1st FLOOR PLAN

SCALE : 3/16" = 1'

N

NEWHOPE STREET

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REVISIONS	DATE	BY

LICENSED ARCHITECT
CHYI-JIUN JIANG
C-25528
FEB 28 2025
RENEWAL DATE
STATE OF CALIFORNIA

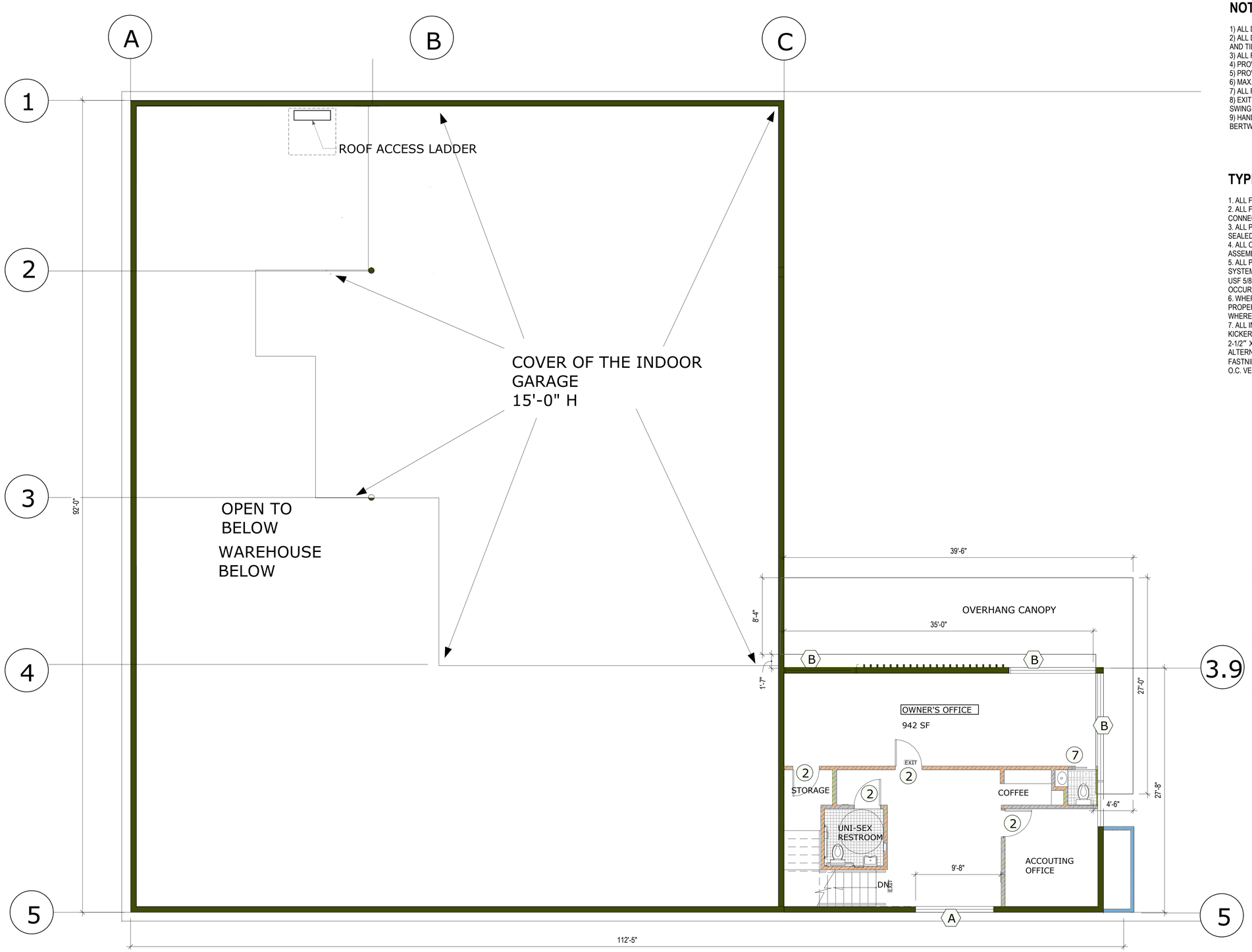
PROJECT: **TPI International**
NEW WAREHOUSE PROJECT
13781 Newhope St., Garden Grove CA92843

TITLE : GROUND FLOOR PLAN

JOB NO:

DATE: 09-12-2024

SHEET: **A - 2**



2nd FLOOR PLAN

SCALE : 3/16" = 1'

N

NOTES:

1) ALL DOORS SHALL BE PROVED WITH LEVEL TYPE HARDWARE.
2) ALL DOOR HARDWARE & RESISTANT PRESSURE MUST COMPLY WITH ADA AND TILTE 24 STANDARDS.
3) ALL REATED DOORS SHALL HAVE AN 'S" LABLE.
4) PROVIDE PANIC HARDWARE FOR ALL EXIT DOORS.
5) PROVIDE SELF-CLOSING EXTERIORS & RESTROOMS' DOORS.
6) MAX. OPERATING PRESSURE 5LB INTERIORS & EXTERIORS DOORS.
7) ALL REQUIRED DOORS SHALL BE 32" CLEAR OPENING AT 90 DEGREES.
8) EXIT DOORS WILL BE MINIMUM OF 3 FEET BY 6-8" WITH A SMINMUM DOOR SWING OF 90 DEGREES.
9) HAND ACTIVATED DOOR OPENING HARDWARE SHALL BE CENTERED BERTWEEN 30" TO 44" ABOVE FINISHED FLOOR (SEC.1133B2.5.2.)

TYPICAL PARTITION NOTES

1. ALL FIRE RATED PARTITIONS SHALL COMPLY WITH CBC, CHAPTER 7.
2. ALL FIRE RATED PARTITIONS SHALL BE FULLY SEALED AT TOP AND BOTTOM CONNECTIONS WITH CONITINUOUS FIRESTOP CAULKING.
3. ALL PENETRATIONS THROUGH FIRE RATED PARTITIONS SHALL BE FULLY SEALED AND FITTED WITH APPROPPRIATELY SIZED FIRE DAMPERS.
4. ALL OPENINGS IN FIRERATED CORRIDOR WLLS SHALLL BE FIRERATED ASSEMBLES W/CLOSER.
5. ALL PARTITIONS TO BE FIRE AND INDEPENDENT OF CEILING SUSPENSION SYSTEM. U.O.N.
USF 5/8" TYPE "X" MOISTURE RESISTANT GYP. BD. WHERE CERAMIC TILE OCCURS.
6. WHERE RETURN AIR OPENINGS ARE REQUIRED IN PARTITION. INSTALL PROPERLY SIZED SOUND BOOTS. INCREASE WALL STRUNGTH AS NEEDED WHERE CABINETRY IS SUPPORTED BY WALL.
7. ALL INTERIOR NON SLAB TO SLAB PARTITIONS TO EB CROSS BARCED WITH KICKER STUDS FROM TOP OF PRTITIONTO STRUCTURE ABOVE. KICKERS TO BE 2-1/2" X 25 GA (MIN) STUDS @ 45 DEGREES OFF HORIZONTAL. 4'-0" O.C. ALTERNATE DIRECTIONS. U.O.N. RUNNER TRACK: 20 GA. MIN, GYP. BD. FASTNING: SELF DRILLING SPACING 8" O.C. HORIZONTAL INSTALLATION, 12: O.C. VERT. INST.

WALL LEGEND

NEW 2 X 4 STUD WALL @ 16" O.C. W/ PLYWOOD SHEATHING PER STRUCTURAL. FINISH INTERIOR W/ 5/8" GYP. BD. USE TILE BACKER BOARD AT RESTROOMS & MOISTURE RESISTANT PURPLE GYP. BOARD AT ALL OTHER WET AREAS

NEW EXTERIOR 2 X 8 STUD WALL @ 16" O.C. WITH " TYPE "X" GYPSUM BOARD ON INSIDE AND 5/8" SHEATHING WITH 1" STUCCO ON EXTERIOR

NEW EXTERIOR 2 X 8 STUD WALL @ 16" O.C. WITH " TYPE "X" GYPSUM BOARD ON INSIDE AND 5/8" SHEATHING WITH 1" STUCCO ON EXTERIOR

WAREHOUSE		
1ST FLOOR AREA	4125 sf	W/ 412 sf STORAGE
INDOOR GARAGE	3100 sf	
OFFICE		
1ST FLOOR AREA	591 sf	
2ND FLOOR AREA	942 sf	
TOTAL AREA	5658 sf	w/o INDOOR GARAGE

KINGSTON

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TEL : (626) 712-5596

REVISIONS	DATE	BY

LICENSED ARCHITECT
CHYI-JIUN JIANG
C-25528
FEB 28 2025
RENEWAL DATE
STATE OF CALIFORNIA

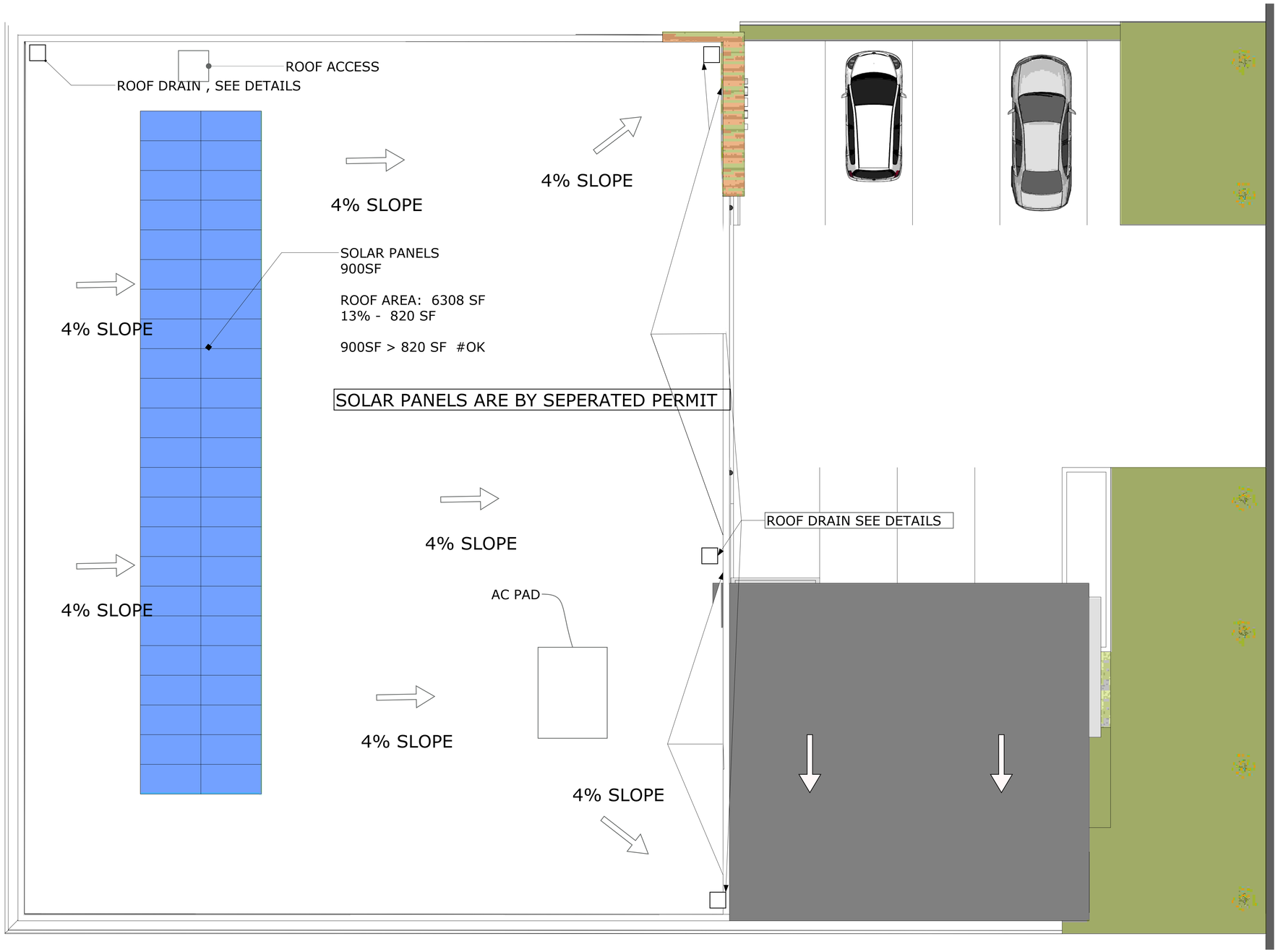
PROJECT: **TPI International**
NEW WAREHOSUE PROJECT
13781 Newhope St., Garden Grove CA92843

TITLE : 2nd FLOOR PLAN

JOB NO:

DATE: 09-12-2024

SHEET: A - 2



ROOF PLAN

SCALE : 3/16" = 1'

KINGSTON

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TEL : (626) 712-5596

REVISIONS	DATE	BY

LICENSED ARCHITECT
CHYI-JIUN JIANG
C-25528
FEB 28 2025
RENEWAL DATE
STATE OF CALIFORNIA

PROJECT:
TPI International
NEW WAREHOSUE PROJECT
13781 Newhope St., Garden Grove CA92843

TITLE : ROOF PLAN

JOB NO:

DATE: 09-12-2024

SHEET: **A - 4**

ATTACHMENT 2 - Project Plans

A. BUILDING BLOCKS

FLOOR OR GROUND SURFACES
1. Floor and ground surfaces shall be stable, firm, and slip resistant. §11B-302.1
2. Carpet or carpet tile shall be securely attached and shall have a firm cushion, pad, or backing or no cushion or pad. Carpet or carpet tile shall have a level loop, textured loop, level cut pile, or level cut/uncut pile texture. Pile height shall be ½ inch maximum. §11B-302.2, Figure 11B-302.2
CHANGES IN LEVEL
3. Vertical changes in level for floor or ground surfaces may be ¼ inch high maximum and without edge treatment. Changes in level greater than ¼ inch and not exceeding ½ inch in height shall be beveled with a slope not steeper than 1:2. §11B-303, Figures 11B-303.2 & 11B-303.3
4. Changes in level greater than ½ inch in height shall be ramped and shall comply with the requirements of 11B-405 Ramps or 11B-406 Curb Ramps as applicable. §11B-303
5. Abrupt changes in level exceeding 4 inches in a vertical dimension between walks, sidewalks or other pedestrian ways and adjacent surfaces or features shall be identified by warning curbs at least 6 inches in height above the walk or sidewalk surface or by guards or handrails with a guide rail centered 2 inches minimum and 4 inches maximum above the surface of the walk or sidewalk. These requirements do not apply between a walk or sidewalk and an adjacent street or driveway. §11B- 303.5
TURNING SPACE
3. Circular turning spaces shall be a space of 60 inches diameter minimum and may include knee and toe clearance complying with 11B-306 Knee and Toe Clearance. §11B-304.3.1
4. T-Shaped turning spaces shall be a T-shaped space within a 60 inch square minimum with arms and base 36 inches wide minimum. Each arm of the T shall be clear of obstructions 12 inches minimum in each direction and the base shall be clear of obstructions 24 inches minimum. §11B- 304.3.2, Figure 11B-304.3.2
KNEE AND TOE CLEARANCE
8. For lavatories and built-in dining and work surfaces required to be accessible, toe clearance shall be provided that is 30 inches in width and 9 inches in height above the finish floor or ground for a depth of 19 inches minimum. §11B-306.2.1
9. Toe clearance shall extend 19 inches maximum under lavatories for toilet and bathing facilities and 25 inches maximum under other elements. §11B- 306.2.2
10. At lavatories in toilet and bathing facilities, knee clearance shall be provided that is 30 inches in width for a depth of 11 inches at 9 inches above the finish floor or ground and for a depth of 8 inches at 27 inches above the finish floor or ground increasing to 29 inches high minimum above the finish floor or ground at the front edge of a counter with a built-in lavatory or at the front edge of a wall- mounted lavatory fixture. §11B-306.3.3, Figure 11B-306.3(c)
11. At dining and work surfaces required to be accessible, knee clearance shall be provided that is 30 inches in width at 27 inches above the finish floor or ground for a depth of at least 19 inches. §11B-306.3
PROTRUDING OBJECTS
12. Except for handrails, objects with leading edges more than 27 inches and less than 80 inches above the finish floor or ground shall protrude no more than 4 inches horizontally into the circulation path Handrails may protrude 4½ inches maximum. §11B-307.2, Figure 11B-307.2
13. Free-standing objects mounted on posts or pylons shall overhang circulation paths no more than 12 inches when located from 27 to 80 inches above the finish floor or ground. §11B-307.3, Figure 11B- 307.3(a)
14. Protruding objects shall not reduce the clear width required for accessible routes. §11B-307.5
15. Lowest edge of a sign or other obstruction, when mounted between posts or pylons separated with a clear distance greater than 12 inches, shall be less than 27 inches or more than 80 inches above the finish floor or ground. §11B-307.3, Figure 11B-307.3(b)
16. Vertical clearance shall be at least 80 inches high on circulation paths except at door closers and door stops, which may be 78 inches minimum above the finish floor or ground. §11B-307.4
17. Guardrails or other barriers with a leading edge located 27 inches maximum above the finish floor or ground shall be provided where the vertical clearance on circulation paths is less than 80 inches high. §11B-307.4, Figure 11B-307.4
REACH RANGES
18. Electrical controls and switches intended to be used by the occupant of a room or area to control lighting and receptacle outlets, appliances or cooling, heating and ventilating equipment shall be located within allowable reach ranges. Low reach shall be measured to the bottom of the outlet box and high reach shall be measured to the top of the outlet box. §11B-308.1.1
19. Electrical receptacle outlets on branch circuits of 30 amperes or less and communication system receptacles shall be located within allowable reach ranges. Low reach shall be measured to the bottom of the outlet box and high reach shall be measured to the top of the outlet box. §11B-308.1.2
20. High forward reach that is unobstructed shall be 48 inches maximum and the low forward reach shall be 15 inches minimum above the finish floor or ground. §11B-308.2.1, Figure 11B-308.2.1
21. High forward reach shall be 48 inches maximum where the reach depth is 20 inches or less and 44 inches maximum where the reach depth exceeds 20 inches. High forward reach shall not exceed 25 inches in depth. §11B-308.2.2, Figure 11B-308.2.2
22. High side reach shall be 48 inches maximum and the low side reach shall be 15 inches minimum above the finish floor where the side reach is unobstructed or the depth of any obstruction does not exceed 10 inches. §11B-308.3.1, Figure 11B- 308.3.1
23. High side reach shall be 46 inches maximum above the finish floor or ground where the high side reach is over an obstruction more than 10 inches but not more than 24 inches in depth. §11B-308.3.2, Figure 11B-308.3.2
24. Obstructions for high side reach shall not exceed 34 inches in height and 24 inches in depth. §11B-308.3.2, Figure 11B-308.3.2
25. Obstructed high side reach for the top of washing machines and clothes dryers shall be permitted to be 36 inches maximum above the finish floor. §11B-308.3.2
26. Obstructed high side reach for the operable parts of fuel dispensers shall be permitted to be 54 inches maximum measured from the surface of the vehicular way where fuel dispensers are installed on existing curbs. §11B-308.3.2
OPERABLE PARTS
27. Operable parts shall be operable with one hand and shall not require tight grasping, pinching, or twisting of the wrist. Force required to activate operable parts shall be 5 pounds maximum. §11B- 309.4

B. ACCESSIBLE ROUTES

GENERAL
1. At least one accessible route shall be provided within the site from accessible parking spaces and accessible passenger loading zones; public streets and sidewalks; and public transportation stops to the accessible building or facility entrance they serve. Where more than one route is provided, all routes must be accessible. §11B-206.2.1 (See exceptions)
2. At least one accessible route shall connect accessible buildings, accessible facilities, accessible elements, and accessible spaces that are on the same site. §11B-206.2.2 (See exception)
3. At least one accessible route shall connect each story and mezzanine in multi-story buildings and facilities. §11B-206.2.3
(See exceptions)
4. In new construction of buildings where elevators are required by 11B-206.2.3 Multi-Story Buildings and Facilities, and which exceed 10,000 square feet on any floor, an accessible means of vertical access via ramp, elevator or lift shall be provided within 200 feet of travel of each stair and each escalator. §11B-206.2.3.2
5. In existing buildings that exceed 10,000 square feet on any floor and in which elevators are required by 11B-206.2.3 Multi-Story Buildings and Facilities, whenever a newly constructed means of vertical access is provided via stairs or an escalator, an accessible means of vertical access via ramp, elevator or lift shall be provided within 200 feet of travel of each new stair or escalator. §11B- 206.2.3.2
6. At least one accessible route shall connect accessible building or facility entrances with all accessible spaces and elements within the building or facility, including mezzanines, which are otherwise connected by a circulation path. §11B-206.2.4 (See exceptions 1 through 7)
7. Accessible routes shall coincide with or be located in the same area as general circulation paths. Where circulation paths are interior, required accessible routes shall also be interior; An accessible route shall not pass through kitchens, storage rooms, restrooms, closets or other spaces used for similar purposes, except as permitted by Chapter 10. §11B-206.3
DETECTABLE WARNINGS AND DETECTABLE DIRECTIONAL TEXTURE
8. Curb ramps shall have detectable warnings that extend 36 inches in the direction of travel for the full width of the ramp run excluding any flared sides. §11B-247.1.2.2, §11B-705.1.2.2
9. On perpendicular curb ramps, detectable warnings shall be located so the edge nearest the curb is 6 to 8 inches from the line at the face of the curb marking the transition between the curb and the gutter, street or highway. §11B-247.1.2.2, §11B- 705.1.2.2
10. On parallel curb ramps, detectable warnings shall be placed on the turning space at the flush transition between the street and sidewalk. §11B- 247.1.2.2, §11B-705.1.2.2, Figure 11B-406.3.2
11. Islands or cut-through medians 96 inches or longer in length in the direction of pedestrian travel shall have detectable warnings that are 36 inches minimum in depth extending the full width of the pedestrian path or cut-through, placed at the edges of the pedestrian island or cut-through median, and separated by 24 inches minimum of walking surface without detectable warnings. §11B-247.1.2.3, §11B-705.1.2.3
12. Walks that cross or adjoin a route provided for vehicular traffic, such as in a street, driveway, or parking facility, shall be separated by detectable warnings, curbs, railings or other elements between the pedestrian areas and vehicular areas. §202, §11B-247.1.2.5, §11B-705.1.2.5
13. Detectable warnings provided to separate walks that cross or adjoin a route provided for vehicular traffic, such as in a street, driveway, or parking facility, shall be 36 inches in width and continuous at the boundary between the pedestrian areas and vehicular areas. §202, §11B-247.1.2.5, §11B- 705.1.2.5
14. Provide detectable warning details showing compliance with the following:
a. Detectable warning surfaces shall visually contrast light-on-dark or dark-on-light with adjacent walking surfaces or be separated from adjacent surfaces by a 1 inch wide black strip. Material used to provide contrast shall be an integral part of the surface. §11B-705.1.1.3
b. Detectable warning products and directional surfaces must ensure consistency and uniformity for shape, color fastness, conformation, sound-on-cane acoustic quality, resilience, and that attachment will not degrade significantly (<10%) for at least five years. §12- 11B.209, §12-11B-210
15. Walks that cross or adjoin a route provided for vehicular traffic, such as in a street, driveway, or parking facility, shall be separated by detectable warnings, curbs, railings or other elements between the pedestrian areas and vehicular areas. §202, §11B-247.1.2.5, §11B-705.1.2.5
16. Detectable warnings provided to separate walks that cross or adjoin a route provided for vehicular traffic, such as in a street, driveway, or parking facility, shall be 36 inches in width and continuous at the boundary between the pedestrian areas and vehicular areas. §202, §11B-247.1.2.5, §11B- 705.1.2.5
17. At reflecting pools, detail compliance with the following:
a. Edges of reflecting pools shall be protected by railings, walls, warning curbs or detectable warnings. §11B-247.1.2.6, §11B-705.1.2.6
b. Detectable edges provided to protect reflecting pools shall be 24 to 36 inches in width. §11B-247.1.2.6, §11B-705.1.2.6
18. Detectable warning surface shall comply with the following:
a. Truncated domes in a detectable warning surface shall have a base diameter of 0.9 to 0.92 inches, a top diameter of 0.45 to 0.47 inches, and a height of 0.18 to 0.22 inches. §11B-705.1.1.1, Figure 11B-705.1
b. Truncated domes placed in a grid pattern in a detectable warning surface shall have a center-to-center spacing of 2.3 to 2.4 inches, and a minimum base-to-base spacing of 0.65 inches, measured between the most adjacent domes on a square grid. §11B-705.1.1.2, Figure 11B-705.1
c. Detectable warning surfaces shall visually contrast light-on-dark or dark-on-light with adjacent walking surfaces or be separated from adjacent surfaces by a 1 inch wide black strip. Material used to provide contrast shall be an integral part of the surface. §11B-705.1.1.3
d. Detectable warning surfaces shall differ from adjoining surfaces in resiliency or sound-on-cane contact except at curb ramps, islands or cut-through medians. §11B-705.1.1.4
e. Detectable warning surfaces shall be yellow conforming to FS 33538 of Federal Standard 595C except at curb ramps, islands or cut-through medians §11B705.1.1.5
f. Detectable warning products and directional surfaces shall be approved by the Division of the State Architect. §11B-705.3
g. Detectable warning products and directional surfaces shall be evaluated by an independent entity (complying with§12-11B.205, §12-11B.211), selected by the Division of the State Architect, to confirm compliance with the prescriptive and performance standards of Title 24. §12-Chapters 12-A and 12-11B
j. Detectable warning products and directional surfaces must ensure consistency and uniformity for shape, color fastness, conformation, sound-on-cane acoustic quality, resilience, and that attachment will not degrade significantly (<10%) for at least five years. §12- 11B.209, §12-11B-210
ENTRANCES
19. Entrances shall be provided in accordance with 11B-206.4 Entrances. Entrance doors, doorways, and gates shall comply with 11B-404 Doors, Doorways, and Gates and shall be on an accessible route complying with 11B-402 Accessible Routes; (See exceptions). §11B-206.4
20. All entrances and exterior ground-floor exits to buildings and facilities shall comply with 11B-404 Doors, Doorways, and Gates. §11B-206.4.1
21. Where direct access is provided for pedestrians from a parking structure to a building or facility entrance, each direct access to the building or facility entrance shall comply with 11B-404 Doors, Doorways, and Gates. §11B-206.4.2
22. Direct connections to other facilities shall provide an accessible route complying with 11B-404 Doors, Doorways, and Gates from the point of connection to boarding platforms and all transportation system elements required to be accessible. Any elements provided to facilitate future direct connections shall be on an accessible route connecting boarding platforms and all transportation system elements required to be accessible. §11B-206.4.4.2 (See exception)
TECHNICAL REQUIREMENTS FOR ACCESSIBLE ROUTES
23. Accessible routes shall consist of one or more of the following components: walking surfaces with a running slope not steeper than 1:20 (5%), doorways, ramps, curb ramps excluding the flared sides, elevators, and platform lifts. §11B-402.2
24. The running slope of walking surfaces shall not be steeper than 1:20 (5%). The cross slope of walking surfaces shall not be steeper than 1:48 (2.083%). §11B-403.3
25. Except at turns or passing spaces, the clear width of walking surfaces shall be 36 inches minimum. §11B-403.5.1
26. The clear width shall be permitted to be reduced to 32 inches minimum for a length of 24 inches maximum provided that the reduced width segments are separated by segments that are 48 inches long minimum and 36 inches wide minimum §11B-403.5.1 exception 1
27. The clear width for walking surfaces in corridors serving an occupant load of 10 or more shall be 44 inches minimum.
§11B-403.5.1 exception 2
28. The clear width for sidewalks and walks shall be 48 inches minimum. §11B-403.5.1 exception 3
29. The clear width for aisles shall be 36 inches minimum if serving elements on only one side, and 44 inches minimum if serving elements on both sides. §11B-403.5.1 exception 4
DOORS, DOORWAYS AND GATES
30. Every required exit doorway, which is located within an accessible path of travel, shall be of a size as to permit the installation of a door not less than 3' in width and not less than 6'-8" in height.
31. Doors, doorways, and gates providing user passage shall be provided in accordance with 11B-206.5 Doors, Doorways, and Gates. §11B- 206.5
32. Doors, doorways and gates that are part of an accessible route shall comply with 11B-404. §11B-404.1
33. Revolving doors, revolving gates, and turnstiles shall not be part of an accessible route. §11B- 402.2.1
34. At least one of the active leaves of doorways with two leaves shall comply with 11B-404.2.3 Clear Width and 11B-404.2.4 Maneuvering Clearances. §11B-404.2.2
35. Door openings shall provide a clear width of 32 inches minimum. Clear openings of doorways with swinging doors shall be measured between the face of the door and the stop, with the door open 90 degrees. Openings more than 24 inches deep shall provide a clear opening of 36 inches minimum. There shall be no projections into the required clear opening width lower than 34 inches above the finish floor or ground. Projections into the clear opening width between 34 inches and 80 inches above the finish floor or ground shall not exceed 4 inches. §11B-404.2.3
36. Minimum maneuvering clearances at doors and gates shall comply with 11B-404.2.4 Maneuvering Clearances. Maneuvering clearances shall extend the full width of the doorway and the required latch side or hinge side clearance. §11B-404.2.4
37. Swinging doors and gates shall have maneuvering clearances complying with Table 11B-404.2.4.1. §11B-404.2.4.1
38. Doorways less than 36 inches wide without doors or gates, sliding doors, or folding doors shall have maneuvering clearances complying with Table 11B-404.2.4.2. §11B-404.2.4.2
39. Maneuvering clearances for forward approach shall be provided when any obstruction within 18 inches of the latch side an interior doorway, or within 24 inches of the latch side of an exterior doorway, projects more than 8 inches beyond the face of the door, measured perpendicular to the face of the door or gate. §11B-404.2.4.3
40. Thresholds, if provided at doorways, shall be ½ inch high maximum. Raised thresholds and changes in level at doorways shall comply with 11B-302 Floor or Ground Surfaces and 11B-303 Changes in Level. §11B-404.2.5.
41. Handles, pulls, latches, locks, and other operable parts on doors and gates shall comply with 11B-309.4 Operation. Operable parts of such hardware shall be 34 inches minimum and 44 inches maximum above the finish floor or ground. Where sliding doors are in the fully open position, operating hardware shall be exposed and usable from both sides. §11B-404.2.7
42. The force for pushing or pulling open a door or gate other than fire doors shall be as follows: §11B- 404.2.9
a. Interior hinged doors and gates: 5 pounds maximum.
b. Sliding or folding doors: 5 pounds maximum.
c. Required _re doors: the minimum opening force allowable by the appropriate administrative authority, not to exceed 15 pounds.
d. Exterior hinged doors: 5 pounds maximum.
43. Swinging door and gate surfaces within 10 inches of the finish floor or ground measured vertically shall have a smooth surface on the push side extending the full width of the door or gate. Parts creating horizontal or vertical joints in these surfaces shall be within 1/16 inch of the same plane as the other and be free of sharp or abrasive edges. Cavities created by added kick plates shall be capped. §11B-404.2.10
44. Although, per exception 1, sliding doors need not comply with 11B-404.2.10, when used as a swinging exit door, the bottom 10 inches of sliding doors shall comply with §11B-404.2.10
45. The distance between two hinged or pivoted doors in series and gates in series shall be a minimum of 48" plus the width of the doors or gates swinging into the space. §11B-404.2.6
RAMPS
46. Ramp runs shall have a running slope not steeper than 1:12 (8.33%). §11B-405.2
47. Cross slope of ramp runs shall not be steeper than 1:48 (2.083%). §11B-405.3
48. Floor or ground surfaces of ramp runs shall comply with 11B-302 Floor or Ground Surfaces. Changes in level other than the running slope and cross slope are not permitted on ramp runs. §11B-405.4
49. The clear width of a ramp run shall be 48 inches minimum. §11B-405.5
50. The rise for any ramp run shall be 30 inches maximum. §11B-405.6
51. Ramps shall have landings at the top and the bottom of each ramp run. §11B-405.7
52. Landings shall comply with 11B-302 Floor or Ground Surfaces. Changes in level are not permitted. §11B-405.7.1
53. The landing clear width shall be at least as wide as the widest ramp run leading to the landing. §11B-405.7.2
54. Top landings shall be 60 inches wide minimum. §11B-405.7.2.1
55. The landing clear length shall be 60 inches long minimum. §11B-405.7.3
56. Bottom landings shall extend 72 inches minimum in the direction of ramp run. §11B-405.7.3.1
57. Ramps that change direction between runs at landings shall have a clear landing 60 inches minimum by 72 inches minimum in the direction of downward travel from the upper ramp run. §11B-405.7.4
58. Where doorways are located adjacent to a ramp landing, maneuvering clearances required by 11B-404.2.4 and 11B-404.3.2 shall be permitted to overlap the required landing area. Doors, when fully open, shall not reduce the required ramp landing width by more than 3 inches. Doors, in any position, shall not reduce the minimum dimension of the ramp landing to less than 42 inches. §11B- 405.7.5
59. Ramp runs shall have compliant handrails per 11B- 505 Handrails. §11B-405.8
60. Edge protection complying with 11B-405.9.2 Curb or Barrier shall be provided on each side of ramp runs and at each side of ramp landings. §11B-405.9 (See exceptions)
61. A curb, 2 inches high minimum, or barrier shall be provided that prevents the passage of a 4 inch diameter sphere, where any portion of the sphere is within 4 inches of the finish floor or ground surface. To prevent wheel entrapment, the curb or barrier shall provide a continuous and uninterrupted barrier along the length of the ramp. §11B-405.9.2
62. Landings subject to wet conditions shall be designed to prevent the accumulation of water. §11B-405.10
HANDRAILS
63. Handrails shall be provided on both sides of stairs and ramps. §11B-505.2
64. Handrails shall be continuous within the full length of each stair flight or ramp run. Inside handrails on switchback or dogleg stairs and ramps shall be continuous between flights or runs. §11B-505.3
65. Top of gripping surfaces of handrails shall be 34 inches minimum and 38 inches maximum vertically above walking surfaces, stair nosing, and ramp surfaces. Handrails shall be at a consistent height above walking surfaces, stair nosing, and ramp surfaces. §11B-505.4
66. Clearance between handrail gripping surfaces and adjacent surfaces shall be 1½ inches minimum. Handrails may be located in a recess if the recess is 3 inches maximum deep and 18 inches minimum clear above the top of the handrail. §11B-505.5
67. Handrail gripping surfaces shall be continuous along their length and shall not be obstructed along their tops or sides. The bottoms of handrail gripping surfaces shall not be obstructed for more than 20 percent of their length. Where provided, horizontal projections shall occur 1½ inches minimum below the bottom of the handrail gripping surface. §11B- 505.6
68. Handrail gripping surfaces with a circular cross section shall have an outside diameter of 1¼ inches minimum and 2 inches maximum. §11B- 505.7.1
69. Handrail gripping surfaces with a non-circular cross section shall have a perimeter dimension of 4 inches minimum and 6¼ inches maximum, and a cross-section dimension of 2¼ inches maximum. §11B-505.7.2
70. Handrail gripping surfaces shall extend beyond and in the same direction of stair flights and ramp runs in accordance with Section 11B-505.10 Handrail Extensions. §11B-505.10
71. Ramp handrails shall extend horizontally above the landing for 12 inches minimum beyond the top and bottom of ramp runs. Extensions shall return to a wall, guard, or the landing surface, or shall be continuous to the handrail of an adjacent ramp run. §11B-505.10.1
72. At the top of a stair flight, handrails shall extend horizontally above the landing for 12 inches minimum beginning directly above the first riser nosing. Extensions shall return to a wall, guard, or the landing surface, or shall be continuous to the handrail of an adjacent stair flight. §11B-505.10.2 At the bottom of a stair flight, handrails shall extend at the slope of the stair flight for a horizontal distance equal to one tread depth beyond the last riser nosing. Such extension shall continue with a horizontal extension or shall be continuous to the handrail of an adjacent stair flight or shall return to a wall, guard, or the walking surface. At the bottom of a stair flight, a horizontal extension of a handrail shall be 12 inches long minimum and a height equal to that of the sloping portion of the handrail as measured above the stair noising. Extension shall return to a wall, guard, or the landing surface, or shall be continuous to the handrail of an adjacent stair flight. §11B-505.10.3
STAIRWAYS
73. A stair is defined as a change in elevation, consisting of one or more risers. §11B-202
74. All steps on a flight of stairs shall have uniform riser heights and uniform tread depths. Risers shall be 4 inches high minimum and 7 inches high maximum. Treads shall be 11 inches deep minimum. §11B- 504.2
75. Open risers are not permitted. §11B-504.3 (See exceptions)
76. Interior stairs shall have the upper approach and lower tread marked by a stripe providing clear visual contrast. Exterior stairs shall have the upper approach and all treads marked by a stripe providing clear visual contrast. The stripe shall be a minimum of 2 inches wide to a maximum of 4 inches wide placed parallel to, and not more than 1 inch from, the nose of the step or upper approach. The stripe shall extend the full width of the step or upper approach and shall be of material that is at least as slip resistant as the other treads of the stair. A painted stripe shall be acceptable. Grooves shall not be used to satisfy this requirement. §11B-504.4.1
77. The radius of curvature at the leading edge of the tread shall be ½ inch maximum. Noising that project beyond risers shall have the underside of the leading edge curved or beveled. Risers shall be permitted to slope under the tread at an angle of 30 degrees maximum from vertical. The permitted projection of the nosing shall extend 1¼ inches maximum over the tread below. §11B-504.5 (See exception for existing buildings)
78. Stairs shall have handrails complying with Section 11B-505 Handrails. §11B-504.6
79. Stair treads and landings subject to wet conditions shall be designed to prevent the accumulation of water. §11B-504.7
80. Floor identification signs required by Chapter 10, Section 1022.9 complying with Sections 11B-703.1 Signs General, 11B-703.2 Raised Characters, 11B-703.3 Braille and 11B-703.5 Visual Characters shall be located at the landing of each floor level, placed adjacent to the door on the latch side, in all enclosed stairways in buildings two or more stories in height to identify the floor level. At the exit discharge level, the sign shall include a raised five pointed star located to the left of the identifying floor level. The outside diameter of the star shall be the same as the height of the raised characters. §11B- 504.8
CURB RAMPS, BLENDED TRANSITIONS, AND ISLANDS
81. Perpendicular ramp runs shall have a running slope not steeper than 1:12 (8.33%). §11B-406.2.1
82. For perpendicular ramps, where provided, curb ramp flares shall not be steeper than 1:10. §11B- 406.2, Figure 11B-406.2.2
83. The running slope of the curb ramp segments shall be in-line with the direction of sidewalk travel. Ramp runs shall have a running slope not steeper than 1:12 (8.33%). §11B-406.3.1, Figure 11B-406.3.2
84. A turning space 48 inches minimum by 48 inches minimum shall be provided at the bottom of the curb ramp. The slope of the turning space in all directions shall be 1:48 maximum (2.083%). §11B- 406.3.2
85. Blended transition ramps hall have a running slope not steeper than 1:20 (5%). §11B-406.4.1
86. Curb ramps and the flared sides of curb ramps shall be located so that they do not project into vehicular traffic lanes, parking spaces, or parking access aisles. Curb ramps at marked crossings shall be wholly contained within the markings, excluding any flared sides. §11B-406.5.1
87. The clear width of curb ramp runs (excluding any flared sides), blended transitions, and turning spaces shall be 48 inches minimum. §11B-406.5.2
88. Landings shall be provided at the tops of curb ramps and blended transitions (parallel curb ramps shall not be required to comply).
The landing clear length shall be 48 inches minimum. The landing clear width shall be at least as wide as the curb ramp, excluding any flared sides, or the blended transition leading to the landing. The slope of the landing in all directions shall be 1:48 (2.083%) maximum. §11B-406.5.3
89. Grade breaks at the top and bottom of curb ramp runs shall be perpendicular to the direction of the ramp run. Grade breaks shall not be permitted on the surface of ramp runs and turning spaces. Surface slopes that meet at grade breaks shall be flush. §11B-406.5.6
90. The cross slope of curb ramps and blended transitions shall be 1:48 (2.083%) maximum. §11B-406.5.7
91. Counter slopes of adjoining gutters and road surfaces immediately adjacent to and within 24 inches of the curb ramp shall not be steeper than 1:20 (5%). The adjacent surfaces at transitions at curb ramps to walks, gutters, and streets shall be at the same level. §11B-406.5.8
92. The bottom of diagonal curb ramps shall have a clear space 48 inches minimum outside active traffic lanes of the roadway. Diagonal curb ramps provided at marked crossings shall provide the 48 inches minimum clear space within the markings. §11B-406.5.9
93. Curb ramps shall have a grooved border 12 inches wide along the top of the curb ramp at the level surface of the top landing and at the outside edges of the flared sides. The grooved border shall consist of a series of grooves ¼ inch wide by ¼ inch deep, at ¾ inch on center; (See exceptions). §11B-406.5.11
94. Curb ramps and blended transitions shall have detectable warnings complying with 11B-705 Detectable Warnings. §11B-406.5.12
95. Raised islands in crossings shall be cut through level with the street or have curb ramps at both sides. The clear width of the accessible route at islands shall be 60 inches wide minimum. Where curb ramps are provided, they shall comply with 11B-406 Curb Ramps, Blended Transitions and Islands. Landings complying with 11B-406.5.3 Landings and the accessible route shall be permitted to overlap. Islands shall have detectable warnings complying with 11B-705 Detectable Warnings and Detectable Directional Texture. §11B-406.6, Figure 11B-406.6

C. GENERAL SITE AND BUILDING

ELEMENTS PARKING SPACES
1. Where parking spaces are provided, accessible parking spaces shall be provided in number and kind required per Section 11B-208 Parking Spaces. §11B-208.1
2. Provide accessible spaces for each parking facility (parking lots and parking structures). The number of parking spaces required to be accessible is to be calculated separately for each parking facility; the required number is not based on the total number of parking spaces provided in all of the parking facilities provided onsite. §11B-208
3. Ten percent of patient and visitor parking spaces provided to serve hospital outpatient facilities, and free-standing buildings providing outpatient clinical services of a hospital, shall comply with Section 11B-502 Parking Spaces. §11B-208.2.1
4. Twenty percent of patient and visitor parking spaces provided to Serve rehabilitation facilities specializing in treating conditions that affect mobility and outpatient physical therapy facilities shall comply with Section 11B-502 Parking Spaces. §11B-208.2.2
5. One in every six or fraction of six parking spaces required by Section 11B-208.2 Minimum Number, but not less than one, shall be served by an access aisle 96 inches wide minimum placed on the side opposite the driver's side when the vehicle is going forward into the parking space and shall be designated ?van accessible?. All such spaces may be grouped on one level of a parking structure. §11B-208.2.4, 11B-502, Fig 11B-502, 11B-502.3, & 11B-502.3.3
6. Accessible parking spaces complying with Section 11B-502 Parking Spaces serving a particular building or facility shall be located on the shortest accessible route of travel from adjacent parking to an accessible entrance (as near as practical to an accessible entrance). §11B-208.3.1
7. In buildings with multiple accessible entrances with adjacent parking, accessible parking spaces complying with Section 11B-502 Parking Spaces shall be dispersed and located closest to the accessible entrances. §11B-208.3.1
8. In parking facilities that do not serve a particular building or facility, accessible parking spaces complying with Section 11B-502 Parking Spaces shall be located on the shortest accessible route of travel to an accessible pedestrian entrance of the parking facility. §11B-208.3.1
9. Dimension minimum 18 foot long car and van accessible parking space(s) and access aisle(s). §11B-502.2, Figures 11B-502.2 and 11B-502.3
10. Dimension minimum 9 foot width at accessible car parking space. §11B-502.2, Fig. 11B-502.2 & Fig. 11B-502.3
11. Dimension minimum 12 foot wide accessible van parking space with minimum 5 foot wide access aisle. Van parking spaces shall be permitted to be minimum 9 feet wide where access aisle is 8 foot wide minimum. §11B-502.2, Figures 11B-502.2 and 11B-502.3
12. Car and van stall access aisle shall be 5 foot wide minimum and shall adjoin an accessible route. Two parking spaces shall be permitted to share a common access aisle. §11B-502.3, Figures 11B- 502.2 and 11B-
14. Access aisles shall be marked with a blue painted borderline around their perimeter. The area within the blue borderlines shall be marked with hatched lines a maximum of 36 inches on center in a color contrasting with that of the aisle surface, preferably blue or white. The words "NO PARKING" shall be painted on the surface within each access aisle in white letters a minimum of 12 inches in height and located to be visible from the adjacent vehicular way. Access aisle markings may extend beyond the minimum required length. §11B-502.3.3, Figure 11B-502.3.3
15. Access aisles shall not overlap the vehicular way. Access aisles shall be permitted to be placed on either side of the parking space except for van parking spaces which shall have access aisles located on the passenger side of the parking spaces. §11B-502.3.4
16. There shall be a minimum vertical clearance of 8 feet 2 inches at accessible parking spaces and along at least one vehicle access route to such spaces from site entrances and exits. §11B-502.5
17. Parking space identification signs shall include the International Symbol of Accessibility complying with Section 11B-703.7.2.1 International Symbol of Accessibility. §11B-502.6, Figure 11B-703.7.2.1
18. Signs identifying van parking spaces shall contain additional language or an additional sign with the designation ?van accessible.?Signs shall be 60 inches minimum above the finish floor or ground surface measured to the bottom of the sign. §11B-502.6
19. Parking identification signs shall be reflectorized with a minimum area of 70 square inches. §11B- 502.6.1
20. Additional language or an additional sign below the International Symbol of Accessibility shall state ?Minimum Fine $250.?§11B-502.6.2
21. A parking space identification sign shall be visible from each parking space. Signs shall be permanently posted either immediately adjacent to the parking space or within the projected parking space width at the head end of the parking space. Signs may also be permanently posted on a wall at the interior end of the parking space. §11B-502.6.3
22. Each accessible car and van space shall have surface identification complying with either of the following schemes:
§11B-502.6.4 a. The parking space shall be marked with an International Symbol of Accessibility complying with Section 11B-703.7.2.1 International Symbol of Accessibility in white on a blue background a minimum 36 inches wide by 36 inches high. The centerline of the International Symbol of Accessibility shall be a maximum of 6 inches from the centerline of the parking space, its sides parallel to the length of the parking space and its lower corner at, or lower side aligned with, the end of the parking space length. §11B-502.6.4.1
b. The parking space shall be outlined or painted blue and shall be marked with an International Symbol of Accessibility complying with Section 11B-703.7.2.1 International Symbol of Accessibility a minimum 36 inches wide by 36 inches high in white or a suitable contrasting color. The centerline of the International Symbol of Accessibility shall be a maximum of 6 inches from the centerline of the parking space, its sides parallel to the length of the parking space and its lower corner at, or lower side aligned with, the end of the parking space. §11B-502.6.4.2
23. An additional sign shall be posted either;
1) in a conspicuous place at each entrance to an off-street parking facility or
2) immediately adjacent to on-site accessible parking and visible from each parking space.
§11B- 502.8
a. The additional sign shall not be less than 17 inches wide by 22 inches high. §11B-502.8.1
b. The additional sign shall clearly state in letters with a minimum height of 1 inch the following: §11B-502.8.2 ?Unauthorized vehicles parked in designated accessible spaces not displaying distinguishing placards or special license plates issued for persons with disabilities will be towed away at the owner's expense. Towed vehicles may be reclaimed at: ____________________ or by telephoning ____________________?.
Blank spaces shall be filled in with appropriate informationas a permanent part of the sign.
RELATIONSHIP TO ACCESSIBLE ROUTES
24. Parking spaces and access aisles shall be designed so that persons using them are not required to travel behind parking spaces other than to pass behind the parking space in which they parked. §11B-502.7.1
25. A curb or wheel stop shall be provided if required to prevent encroachment of vehicles over the required clear width of adjacent accessible routes. §11B-502.7.2
PASSENGER LOADING ZONES, DROP-OFF ZONES,& BUS STOPS
26. Parking facilities that provide valet parking services shall provide at least one passenger loading zone complying with Section 11B-503 Passenger Drop-off and Loading Zones. The parking requirements of Section 11B-208.1 Parking Spaces General apply to facilities with valet parking. §11B-209.4
27. Mechanical access parking garages shall provide at least one passenger loading zone complying with Section 11B-503 Passenger Drop-off and Loading Zones at vehicle drop-off and vehicle pick-up areas. §11B-209.5
28. Passenger drop-off and loading zones shall provide a vehicular pull-up space 96 inches wide minimum and 20 feet long minimum. §11B-503.2
29. Passenger drop-off and loading zones shall provide access aisles complying with the following adjacent and parallel to the vehicle pull-up space. Access aisles shall adjoin an accessible route and shall not overlap the vehicular way. §11B-503.3
a. Access aisles serving vehicle pull-up spaces shall be 60 inches wide minimum. § 11B-503.3.1
b. Access aisles shall extend the full length of the vehicle pull-up spaces they serve. §11B-503.3.2
c. Access aisles shall be marked with a painted borderline around their perimeter. The area within the borderlines shall be marked with hatched lines a maximum of 36 inches on center in a color contrasting with that of the aisle surface. §11B-503.3.3
30. Vehicle pull-up spaces and access aisles serving them shall comply with Section 11B-302 Floor or Ground Surfaces. Access aisles shall be at the same level as the vehicle pull-up space they serve. Changes in level are not permitted. §11B-503.4
31. Vehicle pull-up spaces, access aisles serving them, and a vehicular route from an entrance to the passenger loading zone and from the passenger loading zone to a vehicular exit shall provide a vertical clearance of 114 inches minimum. §11B- 503.5
32. Each passenger loading zone designated for persons with disabilities shall be identified with a reflectorized sign complying with Section 11B-703.5 Visual Characters. It shall be permanently posted immediately adjacent to and visible from the passenger loading zone stating ?Passenger Loading Zone Only?and including the International Symbol of Accessibility (ISA) complying with Section 11B-703.7.2.1 ISA. §11B-503.6

D. PLUMBING FIXTURES & FACILITIES DRINKING FOUNTAINS

1. When provided, no fewer than two drinking fountains shall be provided. One drinking fountain shall comply with 11B-602.1 through 11B-602.6 and one drinking fountain shall comply with 11B-602.7 Drinking Fountains for Standing Persons. §11B-211.2 (See exception)
2. Where more than the minimum number of drinking fountains specified in 11B-211.2 are provided, 50 percent of the total number of drinking fountains provided shall comply with 11B-602.1 through 11B- 602.6, and 50 percent of the total number of drinking fountains provided shall comply with 11B-602.7 Drinking Fountains for Standing Persons. §11B-211.3 See exception
3. Drinking fountains shall comply with Sections 11B-307 Protruding Objects and 11B-602 General Requirements. §11B-602.1
4. Units shall have a clear floor or ground space complying with Section 11B-305 Clear Floor or Ground Space positioned for a forward approach and centered on the unit. Knee and toe clearance complying with Section 11B-306 Knee and Toe Clearance shall be provided. §11B-602.2
5. Where drinking fountains are used by children, a parallel approach complying with Section 11B -305 Clear Floor or Ground Surfaces shall be permitted at units where the spout is 30 inches maximum above the finish floor or ground and is 3½?maximum from the front edge of the unit, including bumpers. §11B-602.2
6. Spout outlets shall be 36 inches maximum above the finish floor or ground. §11B-602.4
7. The spout shall be located 15 inches minimum from the vertical support and 5 inches maximum from the front edge of the unit, including bumpers. §11B- 602.5
8. The spout shall provide a flow of water 4 inches high minimum and shall be located 5 inches maximum from the front of the unit. The angle of the water stream shall be measured horizontally relative to the front face of the unit. Where spouts are located less than 3 inches from the front of the unit, the angle of the water
stream shall be 30 degrees maximum. Where spouts are located between 3 inches and 5 inches maximum from the front of the unit, the angle of the water stream shall be 15 degrees maximum. §11B-602.6
9. Spout outlets of drinking fountains for standing persons shall be 38 inches minimum and 43 inches maximum above the finish floor or ground. §11B- 602.7
10. Wall- and post-mounted cantilevered drinking fountains shall be 18 inches minimum and 19 inches maximum in depth. §11B-602.8
11. All drinking fountains shall either be located completely within alcoves, positioned completely between wing walls, or otherwise positioned so as not to encroach into pedestrian ways. The protected area within such a drinking fountain is located shall be 32 inches wide minimum and 18 inches deep minimum, and shall comply with Section 11B-305.7 Maneuvering Clearance. When used, wing walls or barriers shall protect horizontally at least as far as the drinking fountain and to within 6 inches vertically from the floor or ground surface. §11B-602.9
TOILET AND BATHING ROOM CLEARANCES
12. Where toilet facilities and bathing facilities are provided, they shall comply with 11B-213 Toilet Facilities and Bathing Facilities.
Where toilet facilities and bathing facilities are provided in facilities permitted by 11B-206.2.3 Multi-Story Buildings and Facilities Exceptions 1 and 2 not to connect stories by an accessible route, toilet facilities and bathing facilities shall be provided on a story connected by an
13. Where separate toilet facilities are provided for the exclusive use of separate user groups, the toilet facilities serving each user group shall comply with 11B-213 Toilet Facilities and Bathing Facilities. §11B-213.1.1
14. Where toilet rooms are provided, each toilet room shall comply with 11B-603 Toilet and Bathing Rooms. Where bathing rooms are provided, each bathing room shall comply with 11B-603 Toilet and Bathing Rooms. §11B-213.2 See exceptions
15. Unisex toilet rooms shall contain not more than one lavatory, and not more than two water closets without urinals or one water closet and one urinal. Unisex bathing rooms shall contain one shower or one shower and one bathtub, one lavatory, and one water closet. Doors to unisex toilet rooms and unisex bathing rooms shall have privacy latches.§11B-213.2.1
16. Door shall not swing into the clear floor space or clearance required for any fixture. Other than the door to the accessible water closet compartment, a door in any position, may encroach into the turning space by 12 inches maximum. §11B-603.2.3
17. At single user toilet or bathing rooms, doors shall be permitted to swing into the clear floor space or clearance required for any fixture only if a 30 inch by 48 inch minimum clear floor space is provided within the room beyond the arc of the door swing. §11B-603.2.3 exception
18. Mirrors located above the lavatories or countertops shall be installed within the bottom edge of the reflecting surface 40 inches maximum above the finish floor or ground. Mirrors not located above the lavatories or countertops shall be installed with the bottom edge of the reflecting surface 35 inches maximum above the finish floor or ground. §11B- 603.3
19. Coat hooks shall be located within one of the reach ranges specified in Section 11B-308. Shelves shall be located 40 inches minimum and 48 inches maximum above the finish floor. Medicine cabinets shall be located with a usable shelf no higher than 44 inches maximum above the finish floor. §11B- 603.4
20. Where towel or sanitary napkin dispensers, waste receptacles, or other accessories are provided in toilet facilities, at least one of each type shall be located on an accessible route. All operable parts, including coin slots, shall be 40 inches maximum above the finish floor. §11B-603.5
WATER CLOSETS & TOILET COMPARTMENTS
21. The water closet shall be positioned with a wall or partition to the rear and to one side. The centerline of the water closet shall be 17 inches minimum to 18 inches maximum from the side wall or partition, except that the water closet shall be 17 inches minimum and 19 inches maximum from the side wall or partition in the ambulatory accessible toilet compartment specified in Section
11B-604.8.2 Ambulatory Accessible Compartments. Water closets shall be arranged for a left-hand or right- hand approach. §11B-604.2
22. Clearance around a water closet shall be 60 inches minimum measured perpendicular from the side wall and 56 inches minimum measured perpendicular from the rear wall. A minimum 60 inches wide and 48 inches deep maneuvering space shall be provided in front of the water closet.§11B-604.3.1
23. The seat height of a water closet above the finish floor shall be 17 inches minimum and 19 inches maximum measured to the top of the seat. Seats shall not be sprung to return to a lifted position. Seats shall be 2 inches high maximum and a 3 inch high seat shall be permitted only in alterations where the existing fixture is
less than 15 inches high. §11B-604.4 (See exception for Residential Units)
24. The side wall grab bars shall be 42 inches long minimum, located 12 inches maximum from the rear wall and extending 54 inches minimum from the rear wall with the front end positioned 24 inches minimum in front of the water closet. §11B-604.5.1
25. The rear grab bar shall be 36 inches long minimum and extend from the centerline of the water closet 12 inches minimum on one side and 24 inches minimum on the other side. §11B-604.5.2 (See exceptions)
26. Flush controls shall be hand operated or automatic. Hand operated flush controls shall comply with Section 11B-309.4 Operation except they shall be located 44 inches maximum above the floor. Flush controls shall be located on the open side of the water closet except in ambulatory accessible compartments complying with Section 11B-604.8.2 Ambulatory Accessible Compartments. §11B-604.6
27. Toilet paper dispensers shall comply with Section 11B-309.4 Operation and shall be 7 inches minimum and 9 inches maximum in front of the water closet measured to the centerline of the dispenser. The outlet of the dispenser shall be below the grab bar,
19 inches minimum above the finish floor and shall not be located behind the grab bars. Dispensers shall not be of a type that control delivery or that does not allow continuous paper flow.§11B-604.7
28. Wheelchair accessible compartments shall be 60 inches wide minimum measure perpendicular to the side wall, and 56 inches deep minimum for wall hung water closets and 59 inches deep minimum for floor mounted water closets measured perpendicular to the rear wall. Wheelchair accessible compartments for
children's?use shall be 60 inches wide minimum measured perpendicular to the side wall, and 59 inches deep minimum for wall hung and floor mounted water closets measured perpendicular to the rear wall. §11B- 604.8.1.1
29. In a wheelchair accessible compartment with an in- swing door, a minimum 60 inches wide by 36 inches deep maneuvering space shall be provided in front of the clearance required in Section 11B-604.8.1.1 Wheelchair Accessible Compartment Size.§11B-604.8.1.1.1, Figures 11B- 604.8.1.1.2(b) and 11B-604.8.1.1.3(b)
30. In a wheelchair accessible compartment with a side-opening door, either in-swinging or out-swinging, a minimum 60 inches wide and 60 inches deep maneuvering space shall be provided in front of the water closet. §11B-604.8.1.1.2, Figure 11B-604.8.1.1.2
31. In a wheel chair accessible compartment with end- opening door (facing water closet), either in- swinging or out-swinging, a minimum 60 inches wide and 48 inches deep maneuvering space shall be provided in front of the water closet. §11B- 604.8.1.1.3, Figure 11B-604.8.1.1.3
32. Toilet compartment doors, including door hardware, shall comply with Section 11B-404 Doors, Doorways, and Gates except that if the approach is from the push side of the compartment door, clearance between the door side of the compartment and any obstruction shall be 48 inches minimum measured perpendicular to the compartment door in its closed position. Door shall be located in front partition or in the side wall or partition farthest from the water closet. §11B- 604.8.1.2
33. Where toilet compartment doors are located in the front partition, the door opening shall be 4 inches maximum from the side wall or partition farthest from the water closet. Where located in the side wall or partition, the door opening shall be 4 inches maximum from the front partition and the door shall be self-closing.
§11B-604.8.1.2
34. A door pull complying with Section 11B-404.2.7 Door and Gate Hardware shall be placed on both sides of the door near the latch. Door shall not swing into the clear floor space or clearance required for any fixture. Doors may swing into that portion of the maneuvering space which does not overlap the clearance required at a water closet. §11B-604.8.1.2
35. At least one side partition shall provide a toe clearance of 9 inches minimum above the finish floor and 6 inches deep minimum beyond the compartment-side face of the partition, exclusive of partition support members. Partition components at toe clearances shall be smooth without sharp edges or abrasive surfaces. Compartments for children's use shall provide a toe clearance of 12 inches minimum above the finish floor. Toe clearance at the side partition is not required in a compartment greater than 66 inches wide. §11B- 604.8.1.4 (& exception)
36. Ambulatory accessible compartments shall have a depth of 35inches minimum and 37 inches maximum. §11B-604.8.2.1
37. Water closets and toilet compartments for children's use shall comply with Section 11B-604.9 Water Closets and Toilet
Compartments for Children's Use and follow suggested dimensions on Table 11B-604.9. §11B-604.9
38. Urinals shall be the stall-type or the wall-hung type with the rim 17inches maximum above the finish floor or ground. Urinals shall be 13½ inches deep minimum measured from the outer face of the urinal rim to the back of the fixture. §11B-605.2
39. Flush controls shall be hand operated or automatic. Hand operated flush controls shall comply with Section 11B-309
Operable Parts except that the flush control shall be mounted at a maximum height of 44 inches above the finish floor. §11B-605.4
40. Lavatories and sinks shall comply with Section 11B-606 Lavatories and Sinks. §11B-606.1
41. For lavatories and sinks, a clear floor space complying with Section 11B-305 Clear Floor or Ground Surfaces, positioned for a forward approach, and knee and toe clearance complying with Section 11B-306 Knee and Toe Clearance shall be provided. §11B-606.2
42. Lavatories and sinks shall be installed with the front of the higher of the rim or counter surface 34 inches maximum above the finish floor or ground. §11B- 606.3
WASHING MACHINE AND CLOTHES DRYERS
43. Washing machines and clothes dryer's operable parts must comply with Section 11B-309 Operable Parts. §11B-611.3
44. Top loading machines shall have the door to the laundry compartment located 36 inches maximum above the finish floor. Front loading machines shall have the bottom of the opening to the laundry compartment located 15 inches minim and 36inches maximum above the finish floor. §11B-611.4

E. COMMUNICATION ELEMENTS & FEATURES FIRE ALARM SYSTEMS

1. Where fire alarm systems provide audible alarm coverage, alarms shall comply with 11B-215 Fire Alarm Systems. §11B-215.1
2. Alarms in public use areas and common use areas shall comply with 702 Chapter 9, Section 907.5.2.3.1. §11B-215.2
3. Where employee work areas have audible alarm coverage, the wiring system shall be designed so that visible alarms complying with 702 Chapter 9, Section 907.5.2.3.2 can be integrated into
TWO-WAY COMMUNICATION SYS
18. Two-way communication systems that are provided to gain admittance to a building or facility or to restricted areas within a building or facility shall provide both audible and visual signals. Handset cords, if provided, shall be 29 inches long minimum. §11B-230.1, §11B-708
19. Common use or public use system interface of communications systems between a residential dwelling unit and a site, building, or floor entrance shall include the capability of supporting voice and TTY communication with the residential dwelling unit interface. §11B-708.4.1
20. Residential dwelling unit system interface of communications systems between a residential dwelling unit and a site, building, or floor entrance shall include a telephone jack capable of supporting voice and TTY communication with the common use or public use system interface. §11B-708.4.2
SIGNS
21. Interior and exterior signs identifying permanent rooms and spaces shall comply with 11B-703.1 General, 11B-703.2 Raised Characters, 11B-703.3 Braille and 11B-703.5 Visual Characters. Where pictograms are provided as designations of permanent interior rooms and spaces, the pictograms shall comply with 11B-703.6 Pictograms and shall have text descriptors complying with 11B-703.2 and 11B-703.5. §11B-216.2 (See exception)
22. Signs that provide direction to or information about interior and exterior spaces and facilities of the site shall comply with 11B-703.5 Visual Characters. §11B-216.3
23. In existing buildings and facilities where not all entrances comply with 11B-404 Doors, Doorways, and Gates, compliant entrances shall be identified by the International Symbol of Accessibility complying with 11B-703.7.2.1 ISA. Directional signs complying with 11B-703.5 Visual Characters that indicate the location of the nearest entrance complying with 11B-404 shall be provided at entrances that do not comply with 11B-404 Doors, Doorways, and Gates. Directional signs complying with 11B-703.5 Visual Characters, including the International Symbol of Accessibility complying with 11B-703.7.2.1 ISA, indicating the accessible route
to the nearest accessible entrance shall be provided at junctions when the accessible route diverges from the regular circulation path. §11B-216.6 (See exceptions)
24. Doorways leading to toilet rooms and bathing rooms complying with 11B-603 Toilet and Bathing Rooms shall be identified by a geometric symbol complying with 11B-703.7.2.6 Toilet and Bathing Room Geometric Symbols. Where existing toilet rooms or bathing rooms do not comply with 11B- 603 Toilet and Bathing
Rooms, directional signs indicating the location of the nearest compliant toilet room or bathing room within the facility shall be provided. Signs shall comply with 11B-703.5 Visual Characters and shall include the International Symbol of Accessibility complying with 11B-703.7.2.1 ISA. Where existing toilet rooms or
bathing rooms do not comply with 11B-603 Toilet and Bathing Rooms, the toilet rooms or bathing rooms complying with 11B-603Toilet and Bathing Rooms shall be identified by the International Symbol of Accessibility complying with 11B-703.7.2.1 ISA. Where clustered single user toilet rooms or bathing facilities are permitted to use exceptions to 11B-213.2 Toilet and Bathing Rooms, toilet rooms or bathing facilities complying with 11B-603 Toilet and Bathing Rooms shall be identified by the International Symbol of Accessibility complying with 11B-703.7.2.1 ISA unless all toile rooms and bathing facilities comply with 11B-603 Toilet and Bathing Rooms. Existing buildings that have been remodeled to provide specific toilet rooms or bathing rooms for public use that comply with these building standards shall have the location of and the directions to these rooms posted in or near the building lobby or entrance on a sign complying with 11B-703.5 Visual Characters, including the International Symbol of Accessibility complying with 11B-703.7.2.1 ISA. §11B-216.8
25. Signs with tactile characters shall comply with 11B703.4. §11B-703.4
a. Tactile characters on signs shall be located 48 inches minimum above the finish floor or ground surface, measured from the baseline of the lowest tactile character Braille cell sand 60 inches maximum above the finish floor or ground surface, measured from the baseline of the highest tactile character line of raised characters. §11B-703.4.1 (See exception)
b. Where a tactile sign is provided at a door, the sign shall be located alongside the door at the latch side. Where a tactile sign is provided at double doors with one active leaf, the sign shall be located on the inactive leaf. Where a tactile sign is provided at double doors with two active leafs, the sign shall be located to the right of the right hand door. Where there is no wall space at the latch side of a single door or at the right side of double doors, signs shall be
located on the nearest adjacent wall. Signs containing tactile characters shall be located so that a clear floor space of 18 inches minimum by 18 inches minimum, centered on the tactile characters, is provided beyond the arc of any door swing between the closed position and 45 degree open position. Where permanent identification signage is provided for rooms and spaces they shall be located on the approach side of the door as one enters the room or space. Signs that identify exits shall be located on the approach side of the door as one exits the room or space. 11B-703.4.2
26. Visual characters shall comply with the following, except where visual characters comply with 11B-703.2 Raised Characters and are accompanied by Braille complying with 11B-703.3 Braille, they shall not be required to comply with 11B-703.5.2 through 11B-703.5.6, 11B-703.5.8 and 11B-703.5.9:
a. Characters and their background shall have a non-glare finish. Characters shall contrast with their background with either light characters on a dark background or dark characters on a light background. §11B-703.5.1
b. Characters shall be uppercase or lowercase or a combination of both. §11B- 703.5.2
c. Characters shall be conventional in form. Characters shall not be italic, oblique, script, highly decorative, or of other unusual forms. §11B-703.5.3
d. Characters shall be selected from fonts where the width of the uppercase letter ?O?is 55 60 percent minimum and 110 percent maximum of the height of the uppercase letter ?I?. §11B-703.5.4
e. Minimum character height shall comply with Table 11B-703.5.5. Viewing distance shall be measured as the horizontal distance between the character and an obstruction preventing further approach towards the sign. Character height shall be based on the uppercase letter ?I?. §11B-703.5.5 (See exception)
f. Visual characters shall be 40 inches minimum above the finish floor or ground. §11B-703.5.6 (See exceptions)
g. Stroke thickness of the uppercase letter ?I?shall be 10 percent minimum and 20 percent maximum of the height of the character. §11B-703.5.7
h. Character spacing shall be measured between the two closest points of adjacent characters, excluding word spaces. Spacing between individual characters shall be 10 percent minimum and 35 percent maximum of character height. §11B-703.5.8
i. Spacing between the baselines of separate lines of characters within a message shall be 135 percent minimum and 170 percent maximum of the character height. §11B-703.5.9
j. Text shall be in a horizontal format. §11B- 703.5.10
27. Pictograms shall comply with the following:
a. Pictograms shall have a field height of 6 inches minimum. Characters and Braille shall not be located in the pictogram field. §11B-703.6.1
b. Pictograms and their field shall have a non- glare finish. Pictograms shall contrast with their field with either a light pictogram on a dark field or a dark pictogram on a light field. §11B-703.6.2
c. Pictograms shall have text descriptors located directly below the pictogram field. Text descriptors shall comply with 11B-703.2 Raised Characters, 11B-703.3 Braille and 11B-703.4 Installation Height and Location. §11B-703.6.3
28. Symbols shall comply with the following:
a. Doorways leading to toilet rooms and bathing rooms shall be identified by a geometric symbol complying with 11B-703.7.2.6 Toilet and Bathing Facilities Geometric Symbols. The symbol shall be mounted at 58 inches minimum and 60 inches maximum above the finish floor or ground surface measured from the centerline of the symbol. Where a door is provided the symbol shall be mounted within 1 inch of the vertical centerline of the door. §11B-703.7.2.6 (See exception)
b. Men's toilet and bathing facilities shall be identified by an equilateral triangle, ¼ inch thick with edges 12 inches long and a vertex pointing upward. The triangle symbol shall contrast with the door, either light on a dark background or dark on a light background. §11B-703.7.2.6.1
c. Women's toilet and bathing facilities shall be identified by a circle, ¼ inch thick and 12 inches in diameter. The circle symbol shall contrast with the door, either light on a dark background or dark on a light background. §11B-703.7.2.6.2
d. Unisex toilet and bathing facilities shall be identified by a circle, ¼ inch thick and 12 inches in diameter with a ¼ inch thick triangle with a vertex pointing upward superimposed on the circle and within the 12-inch diameter. The triangle symbol shall contrast with the circle symbol, either light on a dark background or dark on a light background. The circle symbol shall contrast with the door, either light on a dark background or dark on a light background.§11B-703.7.2.6.3

KINGSTON

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REVISIONS	DATE	BY

LICENSED ARCHITECT
CHYI-JIUN JIANG
C-25528
FEB 28 2025
RENEWAL DATE
STATE OF CALIFORNIA

PROJECT: TPI International
NEW WAREHOSUE PROJECT
13781 Newhope St., Garden Grove CA92843

TITLE : GENERAL NOTES

JOB NO:

DATE: 09-12-2024

SHEET: A - 5

ATTACHMENT A

BEST MANAGEMENT PRACTICES
FOR CONSTRUCTION ACTIVITIES*

Storm Water Pollution Control Requirements for Construction Activities
Minimum Water Quality Protection Requirements for All Development Construction Projects/Certification Statement

The following is intended as minimum notes or as an attachment for building and grading plans and represent the minimum standards of good housekeeping that must be implemented on all construction sites regardless of size. (Applies to all permits)

- Eroded sediments and other pollutants must be retained on site and may not be transported from the site via sheetflow, swales, area drains, natural drainage courses or wind.
- Stockpiles of earth and other construction related materials must be protected from being transported from the site by the forces of wind or water.
- Fuels, oils, solvents and other toxic materials must be stored in accordance with their listing and are not to contaminate the soil and surface waters. All approved storage containers are to be protected from the weather. Spills must be cleaned up immediately and disposed of in a proper manner. Spills may not be washed into the drainage system.
- Non-stormwater runoff from equipment and vehicle washing and any other activity shall be contained at the project site.
- Excess or waste concrete may not be washed into the public way or any other drainage system. Provisions shall be made to retain concrete wastes on site until they can be disposed of as solid waste.
- Trash and construction related solid wastes must be deposited into a covered receptacle to prevent contamination of rainwater and dispersal by wind.
- Sediments and other materials may not be tracked from the site by vehicle traffic. The construction entrance roadways must be stabilized so as to inhibit sediments from being deposited into the public way. Accidental depositions must be swept up immediately and may not be washed down by rain or other means.
- Any slopes with disturbed soils or denuded of vegetation must be stabilized so as to inhibit erosion by wind and water.
- Other: _____

As the project owner or authorized agent of the owner, I have read and understand the requirements listed above, necessary to control storm water pollution from sediments, erosion, and construction materials, and I certify that I will comply with these requirements.

Print Name _____
(Owner or authorized agent of the owner)

Signature _____ Date _____
(Owner or authorized agent of the owner)

*The above Best Management Practices are detailed in the California Storm Water Best Management Practices Handbook, January 2003. www.cabmphandbooks.com

Attachment A BMP Notes.doc

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REVISIONS	DATE	BY

PROJECT:
TPI International
NEW WAREHOSUE PROJECT
13781 Newhope St., Garden Grove CA92843

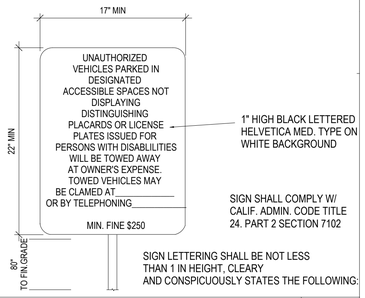
TITLE : BEST MANAGEMENT PRACTICES

JOB NO:

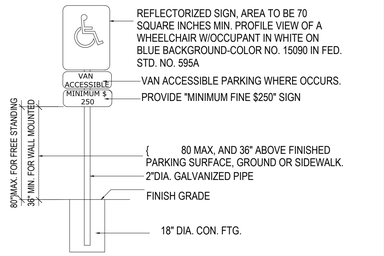
DATE: 09-12-2024

SHEET: A - 5.1

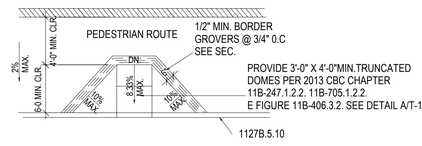
HANDICAPPED ACCESSIBILITY STANDARDS



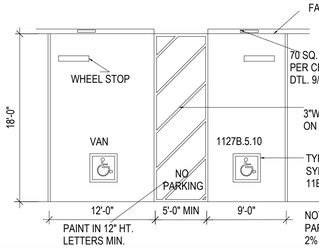
ACCESSIBLE PARKING NOTICE 8



ACCESSIBLE PARKING SIGN 9



CURM RAMP 10



ACCESSIBLE PARKING 11

TACTILE EXIT SIGNS SHALL BE REQUIRED AT THE FOLLOWING LOCATIONS:
1. EACH GRADE LEVEL EXTERIOR EXIT DOOR SHALL BE IDENTIFIED BY A TACTILE EXIT SIGN WITH THE WORD. 'EXIT.'
2. EACH EXIT DOOR THAT LEADS DIRECTLY TO A GRADE-LEVEL EXTERIOR EXIT BY MEANS OF A STAIRWAY OR RAMP SHALL BE IDENTIFIED BY A TACTILE EXIT SIGN WITH THE FOLLOWING WORDS AS APPROPRIATE:
A. 'EXIT STAIR DOWN' B. 'EXIT RAMP DOWN' C. 'EXIT STAIR UP! D. 'EXIT RAMP UP

3. EACH EXIT DOOR THAT LEADS DIRECTLY TO A GRADE-LEVEL EXTERIOR EXIT BY MEANS OF AN EXIT ENCLOSURE THAT DOES NOT UTILIZE A STAIR OR RAMP, OR BY MEANS OF AN EXIT PASSAGEWAY, SHALL BE IDENTIFIED BY A TACTILE EXIT SIGN WITH THE WORDS 'EXIT ROUTE
4. EACH EXIT ACCESS DOOR FROM AN INTERIOR ROOM OR AREA THAT IS REQUIRED TO HAVE A VISUAL EXIT SIGN, SHALL BE IDENTIFIED BY A TACTILE EXIT SIGN WITH THE WORDS 'EXIT ROUTE.'
5. EACH EXIT DOOR THROUGH A HORIZONTAL EXIT SHALL BE IDENTIFIED BY A TACTILE EXIT SIGN WITH THE WORDS TO EXIT.' 1011.3

NOTE:
THE INFORMATION ON THE SIGN MUST BE PRESENTED WITH RAISED CHARACTERS SHALL BE SANS SERIF, ARABIC NUMERALS AND CORRESPONDING GRADE || BRAILLE. DOTS SHALL BE 1/10 INCH ON CENTER IN EACH CELL WITH 2/10 INCH SPACE BETWEEN CELLS. DOTS SHALL BE RAISED A MINIMUM OF 1/40 INCH ABOVE THE BACKGROUND. DOTS SHALL BE DOMED OR ROUNDED. 11117B.5.6

EXIT SIGNATURE 12

• IDENTIFICATION SYMBOLS
(for sanitary facilities)
DOOR MOUNTED SIGNAGE (See Fig.1)
A. (Men's) - Equilateral triangle 1/4" thick with edges 12" long and a vertex pointing upward. 1115B.5 4.30.4
B. (Women's) - 12" diameter circle 1/4" thick with 1/4" thick triangle superimposed within circle. 1115B.5 4.30.4
C. (Unisex)- 12" diameter circle 1/4" thick with 1/4" thick triangle superimposed within circle. 1115B.5 4.30.4
D.The characters and background of the sign is eggshell, matte, or other non-glare finish and the color and contrast of the sign distinctively contrasts with the color and contrast of the door. 1115B.5 4.30.5
E. Signs are centered on the door 60" from the floor. 1115B.5

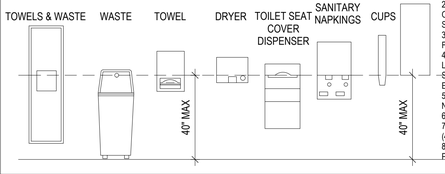
Wall Mounted Signage
F. The international symbol of accessibility is installed on the wall adjacent to the latch side of the door. The border dimension of this pictogram shall be a minimum of 6" in height. 1117B.5.1.1&.5.6.3 4.1.2(7)(d)
G. Verbál description as to restroom usage (i.e. Men's Restroom, etc.), is placed directly below the symbol of accessibility. 1117B.5.6.3 4.30.4
H. The characters and background of the sign is eggshell,matte, or other non-glare finish and the color and contrast of the sign distinctively contrasts with the color and contrast of the wall. 1117B.5.5 4.30.5
I. Signs are centered on the wall 60" from the floor. 1117B.5.9 4.30.6
J. Letters and numerals are raised 1/32", are sans-serif uppercase characters and are accompanied by Grade 2 Braille. Characters are minimum 5/8" high and a maximum of 2" high. 1117B.5.6.1 8.2 4.30.4
K. Mounting locations allows a person to approach within 3" of the signage without encountering protruding objects or standing within the swing of a door. 1117B.5.9 4.30.6

SINGLE ACCOMMODATION TOILETS
(See Fig.2 and Fig.3)
A. Except at doors, the minimum clear width of an accessible route in facility is 36". 1115B.7.2
B. Entry door has privacy latch (push button-lever release) 4.1.6(e)
C. Sufficient space for wheelchair measuring 30" x 48" to enter room and permit the door to close is provided. 1115B.7.2 4.17.3
D. A clear space of sufficient size top inscribe a 60" diameter circle is provided within the sanitary facility room. 1115B.7.2 4.23.3
E. 60" space is clear of objects from the floor to a height of 27". 1115B.7.2 4.23.3
F. No door encroaches into required 60" clear space. 11B
G. 48" min. clear space is provided in front of the water closet. 1115B.7.2
H. 17"-18" between center of water closet and side-wall corner. Sec. 11B-604.2, 11B-804.8.2
I. 28" minimum clear space is provided from the water closet to any fixture, or a minimum 32" wide clear space to the opposite wall. 1115B.7.2 4.17.3
J. Top of toilet seat is 17"-19" from floor surface. 1502.0 4.16.3
K. Flush valve is on wide side of toilet area. 1502.0 4.16.5
L. 44" max. from floor to flush valve. 1502. 0 4.16.5
M. 5 Lb. Max. force to operate flush valve. 1502.0 4.27.4
N. Walls within compartment are smooth,hard and non absorbent to 48" in height, and are not adversely affected by moisture. 1115B.9.5
O. Floor surfaces of toilet room are smooth, hard and non-absorbent extending upward a minimum of 5" onto walls. SECTION 1115B.9.5
P. Side grab bar is a minimum 42" long and extends 24' beyond the front of the water closet. Sec. 11B-604.5.1.
Q. The forward end of the side grab bar is a located a minimum of 54" from the back wall. Sec. 11B-604.5.1
R. Side grab bar begins a maximum of 12" from the rear wall.and extending 54" min. fromthe rear wall with the front end positioned 24"min.infront of the water closet Sec. 11B-604.5.1
S. Rear grab bar is a minimum 36" long. Sec.1115B.84117.6
T. Rear grab bar begins a maximum of 6" from the corner of the wall on the toilet side. 4.17.6
U. Diameter of grab bar(s) is 1-1/4" min.and 2"MAX. Sec.. 11B-609,2.1
V. Clearance between the grab bar(s) and wall is 1-1/2". Sec. 11B-609.3
W. Grab bars are mounted at 33" min. and 36" max. above the finish floor measured to the top of the gripping surfaces, Sec. 11B-609.4
X. Bars are smooth with a min. radius of 1/8". 1115B.8.4
Y. Min. structural strength of grab bar(s) will support a 250 lb.Point load. 1115B.8.3.1 thru. 4 4.26.3
Z.Grab bars do not rotate within their fittings. 1115B.8.3.5 4.26.3(5)
AA. Surface of wall adjacent to grab bar(s) is free of sharp or abrasive elements. 1115B.8.4 4.26.4
BB. Toilet paper dispenser is located on the wall within 7"-9" of the front dege of the toilet seat. Sec. 11B-604.7
CC.19" minimum height from floor to centerline of toilet paper dispenser.(location below grab bar suggested) 4.16.6
DD. Toilet paper dispenser allows continuous paper flow and does not control delivery. 1115B.9.3 4.16.6

• LAVATORIES
A. Min. 30" x 48" clear space is provided in front of lavatory that allows forward approach. 1115B.9.1.1 4.19.3
B. Required clear space adjoins or overlaps an accessible route and extends a max. of 19" underneath the lavatory. 1115B.9.1.1 4.19.3
C. Lavatories adjacent to a side wall have a min. 18" distance to center of fixture. 1504.1
D. 34" max. height of rim or counter above floor surface. 1504.1 4.19.2
E. 294 min. clearance from bottom of apron to the floor. 1504.1 4.19.2
F. Knee clearance under front lip is a min. of 27" high, 30" wide, and extends a min.of 8" in depth from the front of the lavatory 1504.1 4.19.2
G. Toe clearance under lavatory is a min. of 9" high, 30" wide, and extends a min. of 17" in depth from the front of the lavatory. 1504.1 4.19.4
H. Drain and hot water piping is insulated or configured to prevent contact. 1504.2 4.19.4
I. There are no sharp or abrasive elements under lavatory 1504.2 4.19.4
J. Faucets are lever type, electronically activated or approved self closing valves (Min. 10 seconds open flow). 1504.3 4.19.5
K. Faucets are operable with one hand and do not require tight grasping, pinching or twisting of the wrist. 1504.3 4.27.4
L. 5 lb. max. force required to activate controls. 1604.3 ory.

INTERPRETATIONS: Possibly the most common design and construction error regarding lavatory must be a min. of 27" high and extend back a min. of 8" from the front edge. Lavatory bowls with excessive depth oftentimes restrict this required clearance even when the top of the bowl is mounted at the max. allowed 34". This situation is of particular importance in Alterations, as many older model lavatories simply cannot provide for both max. mounting height and required knee clearance. It is also important to understand that the drain piping cannot encroach into the required knee clearance. The fact that an individual's knees may be able to slip past the piping on either side is of no consequence; the min. required clearances must be provided. To prevent possible problems, it is highly recommended that plan drawings specify lavatory models that provide a full 8" clearance from the front of the unit to any piping and additionally provides for a max. allowable bowl depth of 6-1/2".
The required clearances between lavatories and sinks are different and should not be confused. Although California's accessibility guidelines do not presently contain specific guidelines for sinks, the ADAAG does. Lavatories require min. knee clr. of 30"(w) x 27"(h) x 8"(d); sinks require min. knee clearances that are min. of 30" wide by 27" high, however the depth of this clearance must maintain an absolute distance of 19" from the front of the sink. In addition, federal guidelines restrict each sink to a max. depth of 6-12" for applicable requirement.

• ACCESSORIES IN SANITARY FACILITIES
A. Minimum 30" x 48" clear floor or ground space is provided to allow forward or parallel approach to Accessories. 1115B. 8.4.1 4.22.7
B. One full unobstructed side of the clear floor or ground spaces adjoins or overlaps an accessible route or adjoins wheelchair clr. fl. Space. 1115B. 8.4.2. 4.2.
C. Mirror(s) is mounted with the bottom edge on higher than 40" from the floor. 1115B. 9. 1.2 4.19.6
D. Operable parts (including coin slots) of all fixtures or accessories are located a maximum of 40" above floor (i.e., soap dispensers, towels toilet seat covers, auto dryers, sanitary napkin dispensers, waste receptacles, etc.). 1115B.9.2 4. 23. 7. Fig. 91



NOTES:
1. MINIMUM 30" X 48" CLEAR FLOOR OR GROUND SPACE PROVIDED FORWARD OR PARALLEL APPROACH TO ACCESSORIES.
2. ONE FULL UNOBSTRUCTED SIDE OF THE CLEAR FLOOR OR GROUND SPACE ADJOINS OR OVERLAPS AN ACCESSIBLE ROUTE OR ADJOINS ANOTHER WHEELCHAIR CLEAR SPACE.
3. MIRROR(S) IS MOUNDED WITH THE BOTTOM EDGE NO HIGHER THAN 40" FROM THE FLOOR.
4. OPERABLE PARTS (INCLUDING COIN SLOTS) OF ALL FIXTURES OR ACCESSORIES ARE LOCATED A MAXIMUM OF 40" ABOVE FLOOR (i.e., SOAP DISPENSERS, TOWELS, TOILET SEAT COVERS, AUTO-DRYERS, SANITARY NAPKIN DISPENSERS, WASTE RECEPTACLES, ETC.)
5. CONTROLS AND OPERATING MECHINISMS ARE OPERABLE WITH ONE HAND AND DO NOT REQUIRE TIGHT GRASPING, PINCHING, OR TWISTING OF THE WRIST.
6. THE FORCE REQUIRED TO ACTIVATE CONTROLS IS 5 LBS. MAXIMUM.
7. COAT HOOKS AND SHELVING ARE LOCATED WITHIN APPROPRIATE REACH RANGES (48" MAX. ABOVE FLOOR RECOMMENDED).
8. IF MEDICINE CABINETS ARE PROVIDED, AT LEAST ONE USEABLE SHELF SHALL BE PROVIDED NO HIGHER THAN 44" ABOVE FLOOR.

MOUNTING HTS.& CLEARANCE 7

E. Controls and operating mechanisms are operable with one hand and do not require tight grasping, pinching, or twisting of the wrist. 1117B. 6.4 4.27.4
F. The force required to activate controls is 5 lb. max. 1117B. 6.4 4. 27.4
G. Coat hooks and shelving are located within appropriate reach ranges (48" max. above floor recommended). 1118B. 4. 1 thru B.6 4.2.5
H. If medicine cabinets are provided, at least one has a usable shelf no higher than 44" above floor. 4. 23.9

•DINING, BANQUET AND BAR FACILITIES
Seating
A. At least 5%, but not less than one of the seating spaces in each functional area is accessible as follows (1104B.5.4 5.1):
Min. 30" x 48" clear floor spaces is provided. 1122B.3
One full-unobstructed side of the clear floor space Adjoins or overlaps an accessible route or another Wheelchair clear floor space. 1122B.3
Knee space at tables is at least 27" H 30" W. 19" D. 1122B
Height of tables between 28"-34" from the floor or Ground. 1122B.4
B. Access to accessible seating space() is provided by Main aisles a min. of 36" in width. 1104B5.4
C. Equivalent services and decor are provided at Accessible seating space as for the public. 1104B.5.4

Counters
D. Counters that exceed 34" in height, where food or Drink is served, have a minimum 60" long portion that has the following: 5.2
Top Coounter is between 28"-34" above the finish floor. 11228.4 4.23.3
Knee clearance a min. 27" high, 30" wide and 19" deep 1122B.3 4.32.4
Clear floor space a min. of 30" x 48". 1122B.3 4.2.4
Clear floor space acjoins an accessible route. 1122B.3 4.2.4.2

Food Service Lines/Aisles
I. Minimum clear width of 36" is provided. (42" preferred). 1104B5.5 5.5
J. Tray slides are mounted a max. of 34" above floor. 1104B5.5 5.5

•SITE ACCESSIBLE ROUTE OF TRAVEL
At lease one accessible route within the boundary of the state is provided to an accessible building entrance from:
• Public transportation stops
• Accessible parking spaces
• Accessible passenger loading zones
• Public streets and sidewalks 1114B.1.2 4.3.2(1)

Entrance signage
At every primary public entrance and at every major junction along or leading to an accessible route of travel, there shall be a sign displaying the international symbol of accessibility. Signs shall indicate the direction to accessible building entrances and facilities and shall comply with the requirements:
• Accessible entrances and routes of travel have appropriate signage. 1127B.3 4.1.3(16)(b)

•ENTRANCES & EXITS, DOORS
1. All entrances and exterior ground-floor exit doors to buildings and facilities shall be made accessible to persons with disabilities. 1133B. 1.1
2. Exit doors shall be operable from the inside without the use of a key or any special knowledge or effort. 1133B. 2. 2.1
3. Hand-activated door-opening hardware shall be centered between 34 inches and 44 inches above the floor. Latching and locking doors that are hand activated and which are in a path of travel shall be operable with a single effort by lever-type hardware, panic bars, push-pull activating bars, or other hardware designed to provide passage without requiring the ability to grasp the opening hardware. Locked exit doors shall operate as above in egress direction. 1133B. 2. 2.
4 Every required exit doorway shall be of a size as to permit the installation of a door not less than 36 inches in width and not less than 80 inches in height. When installed in exit doorways, exit doors shall be capable of opening at least 90 degrees and shall be so mounted that the clear width of the exit way is not less than 32 inches. 1133B. 2. 3.1
5. The floor or landing shall not be more than 1/2 inch lower then the threshold of the doorway. 1133B. 2. 4.
6. The level area shall have a length in the direction of door swing of at least 60 inches and the length opposite the direction of door swing of 48 inches as measured at right angles to the plane of the door in its closed position. 1133B. 2. 4.2
7. The width of the level area on the side to which the door swing shall extend 24 inches past the strike edge of the door for exterior doors and 18 inches past the strike edge for interior doors. 1133B. 2.4.3
8. Maximum effort to operate doors shall not exceed 5 pounds for interior doors, such pull or push effort being applied at right angles to hinged doors and at the center plane of sliding or folding doors. Compensating devices or automatic door operators may be utilized to meet the above standards. When fire doors are required, the max. Effort to operate the door may be increased to the min. allowable by the appropriate administrative authority, not to exceed 15 pounds. Sec. 11B-404.2.9.
9. The bottom 10 inches of all doors except automatic and sliding doors shall have a smooth, uninterrupted surface to allow the door to be opened by a wheelchair footrest without creating a trap or hazardous condition. Sec 11B-404.2.10

•WALKS & SIDEWALKS
1. Walks and sidewalks shall have a continuous common surface not interrupted by steps or by abrupt changes in level exceeding 1/2", and shall be a minimum of 48" in width 1023.1
2. When the slope in the direction of travel of any walk exceeds 1 vertical to 20 horizontal it shall comply with the provisions of Section 3307 as a pedestrian ramp. 1023.3
3. Walk and sidewalk surface cross slopes shall not exceed 1/4" per foot. 1023.1.3

ACCESSIBLE PARKING REQUIRED
1. Accessible parking spaces shall be located as neaqr as practical to a primary entrance and shall be sized as follows in 1129B.4.1 through 1129B.4.4-(below & following pages)
2. Where single spaces are provided, they shall be 14 feet wide and outlined to provide a 9-foot parking area and a 5-foot loading and unloading access aisle on the passenger side of the vehicle.

VAN SPACE
1 in. every 6 accessible spaces, but not less than 1, shall be served by an access aisle 96 inches wide min. & shall be designated van accessible as required by
All such spaces may be grouped on 1 level of a parking structure. Sec. 11B-208.2.4, 11B-502

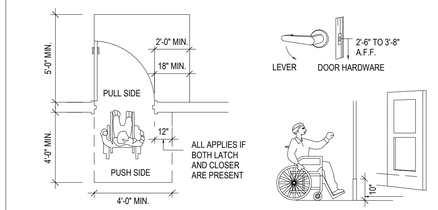
PARKING SIGN
1. The sign shall not be smaller than 70 square inches in area and, when in path of travel, shall be posted at a minimum height of 80 inches from the bottom of the sign to the parking space finished grade and shall be unobscured by a parked vehicle. 1129B.5
2. Signs may also be centered on the wall at the interior end of the parking space at a minimum height of 36 inches from the parking space finished grade, ground or sidewalk. 1129B.5
3.Spaces complying with 1129B.4.2 shall have an additional sign stating "Van-Accessible" mounted below the symbol of accessibility. 1129B.5
4. The sign shall not be less tha17" x 22" in size with lettering not less than 1-inch in height, which clearly and conspicuously states the following:
"Unauthorized vehicles parked in designated accessible spaces not displaying distinguishing placards or license plate issued for persons with disabilities may be towed away at owner's expense Towed vehicles may be reclaimed at_ or by telephoning. " 1129B.5

•ELECTRICAL
1. The center of electrical and communication system receptacle outlets shall be installed not less than 15" above the floor or working platform. 1117B. 6.3
2. The center of the grip of the operating handle of controls or switches intended to be used by the occupant f the room or area to control lighting and receptacle outlets, appliances,or cooling, heating, and venhtilating equipment shall not be more than 48" above the floor or working platform. CEC308.8(c) (DRP)

WALL MOUNTED SIGNAGE
WALL MOUNTED SIGNAGE TO BE INSTALLED ON THE WALL ADJACENT TO THE LATCH SIDE OF THE DOOR & CLEAR OF DOOR-SWING. MOUNTED @ 60" TO CENTERLINE OF SIGN FROM FINISH FLOOR, ALL SIGN SHALL HAVE VERBAL DESCRIPTION AS TO RESTROOM USAGE PLACED DIRECTLY BELOW THE SYMBOL OF ACCESSIBILITY. THE LETTERS & NUMERALS ARE RAISE 1/32", ARE SANS-SERIF UPPERCASE CHARACTERS AND ARE ACCOMPANIED BY CORRESPONDING GRADE 2 BRAILLE CHARACTERS ARE MIN. 5/8" HIGH AND A MAX. OF 2 HIGH. THE CHARACTERS AND BACKGROUND OF THE SIGN IS EGGSHELL, MATTE, OR OTHER NON-GLARE FINISH AND THE COLOR AND CONTRAST OF THE SIGN DISTINCTIVELY CONTRASTS WITH THE COLOR AND CONTRAST OF THE WALL

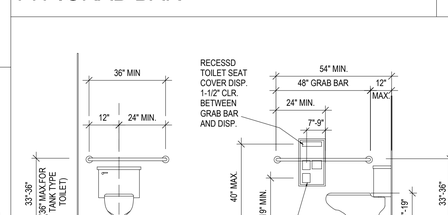
DOOR MOUNTED SIGNAGE
ON THE DOOR LEADING TO MEN'S SANITARY FACILITIES, AN EQUILATERAL TRIANGLE 1/4 INCH THICK WITH EDGES 12 LONG AND A VERTEX POINTING UPWARD AND ON THE WOMEN'S FACILITIES A CIRCLE 1/4 INCH THICK AND 12 INDIA. WHERE A UNISEX RESTROOM IS PROVIDED A COMBINED CIRCLE AND TRIANGLE SIGN SHALL BE USED AS SHOWN ABOVE. THESE GEOMETRIC SYMBOLS SHALL BE ON THE CENTER OF THE DOOR 8 60" A.FF. THE COLOR AND CONTRAST OF THE SIGN SHALL BE DISTINCTIVELY CONTRASTS WITH THE

RESTROOM A.D.A. SYMBOLS 6



NOTE:
THE MAXIMUM EFFORT TO OPERATE DOOR HARDWARE SHALL BE 8.5 POUNDS FORCE FOR THE EXTERIOR DOORS AND 5 POUNDS FORCE FOR THE INTERIOR DOORS. THE LOWER 10 INCHES OF THE DOOR SHALL HAVE A SMOOTH PANEL ON THE PUSH SIDE OF THE DIOR WHICH WILL ALLOW THE DOOR TO BE OPENED BY A WHEELCHAIR FOOTREST WITHOUT CREATING A TRAP OR HAZARD.

ACCESSIBLE CLEAN SPACE 1



NOTE:
1. INSULATE AND TAPE ALL WATER LINES AND TRAP TO PREVENT CONTACT
2. REMOVE ALL SHARP OR ABRASIVE ELEMENTS UNDER LAVATORY.
3. SINK IS TO BE A MAXIMUM 6 1/2" DEEP.
4. FAUCETS ARE TO BE LEVER TYPE, ELECTRONICALLY ACTIVATED OR APPROVED SELF-CLOSINGS VALVES(MIN. 10 SECONDS OPEN FLOW)
5. FAUCETS ARE TO BE OPENABLE WITH ONE HAND AND DO NOT REQUIRE TIGHT GRASPING, PINCHING OR TWISTING OF WRIST.
6. 5 BLS. MAXIMUM FORCE IS REQUIRED TO ACTIVATE CONTROLS.
7. CLEAR SPACE AT FRONT TO BE 30"X48" AS SHOWN ON PLAN

ACCESSIBLE LAVATORY 2

NOTES:
1. 5 BLS. MAXIMUM FORCE IS REQUIRED TO ACTIVATE CONTROLS.
2. FLOOR SURFACES ARE TO BE SMOOTH, HARD AND NONABSORBENT EXTENDING UPWARD A MINIMUM OF 5" ONTO THE WALL.
3. WALLS WITHIN 24" OF THE FRONT AND SIDES OF THE URINAL ARE TO BE SMOOTH, HARD AND NONABSORBENT TO 48" IN HEIGHT, AND ARE NOT ADVERSELY AFFECTED BY MOISTURE.

ACCESSIBLE URINAL 3

TYP.GRAB BAR 4

ASSESSIBLE WATER CLOSET 5

Archie Jiang, architect
1762 Manor Gate Rd.
Hacienda Hts., CA 91745
TEL : (626) 712-5596

REVISIONS	DATE	BY

LICENSED ARCHITECT CHIYI-JIUN JIANG C-25528 EXP. 08-31-2025 RENEWAL DATE STATE OF CALIFORNIA

PROJECT: TPI International
NEW WAREHOSUE PROJECT
13781 Newhope St., Garden Grove CA92843

TITLE : ADA

JOB NO:

DATE: 09-12-2024

SHEET: A - 5.2

KINGSTON

Archie Jiang, architect

1762 Manor Gate Rd.
Hacienda Hts., CA 91745

TEL : (626) 712-5596

REVISIONS	DATE	BY

LICENSED ARCHITECT
CHYI-JIUN JIANG
C-25528
FEB 28 2025
RENEWAL DATE
STATE OF CALIFORNIA

PROJECT:
TPI International
NEW WAREHOSUE PROJECT
13781 Newhope St., Garden Grove CA92843

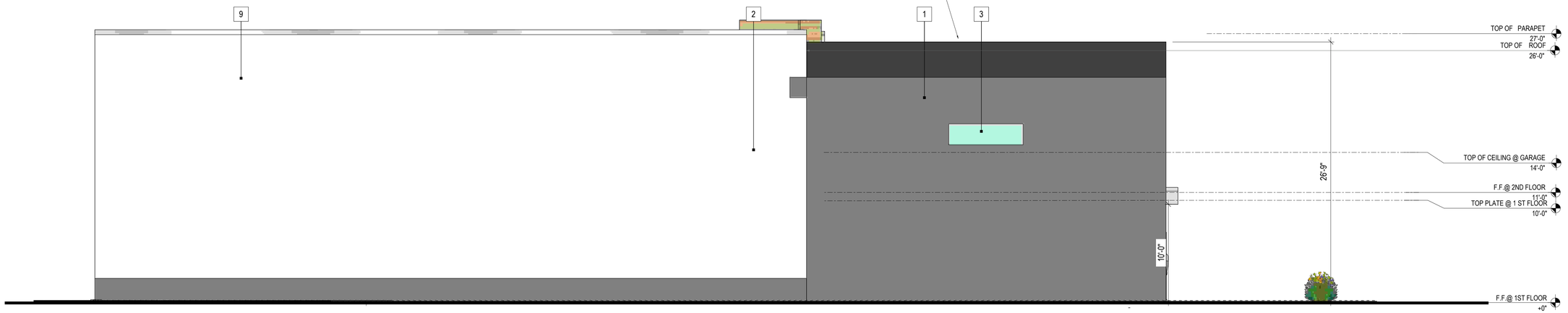
TITLE : VIEWPORTS

JOB NO:

DATE: 09-12-2024

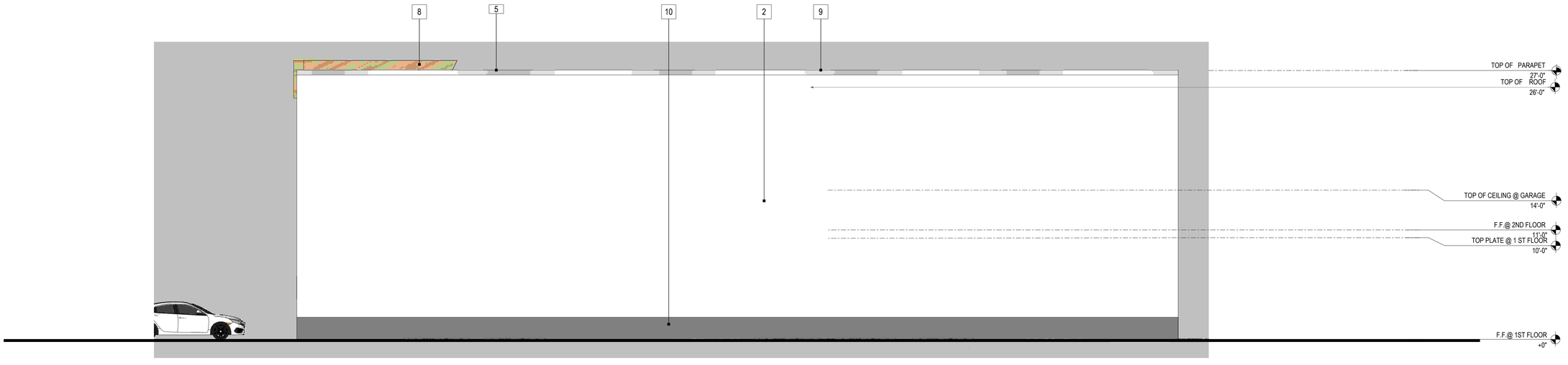
SHEET: **A - 5.3**

NOTE.
THIS PROJECT MUST COMPLY WITH THE MUNICIPAL CODE REQUIREMENTS FOR MAXIMUM HEIGHT OF THE STRUCTURE NOT TO EXCEED 30 FEET (SDMC, SECTION 131.0444 AND 132.0505). HIGHEST POINT OF THE ROOF, EQUIPMENT, PIPE, VENT, ANTENNA OR OTHER PROJECTION SHALL NOT EXCEED 30' ABOVE GRADE.



SOUTH ELEVATION

SCALE : 3/16" = 1'



WEST ELEVATION

SCALE : 3/16" = 1'

ELEVATION KEYNOTES

1	(N) EXTERIOR STUCCO: :LAHABRA , #81593 BAY RIDGE BASE AND FINISH COAT
2	(N) EXTERIOR STUCCO: LAHABRA #40 DOVE GREY, STUCCO BASE AND FINISH COAT
3	(N) WINDOW: PER SCHEDULE SHEET A-8.2
4	TINTED ALUMINUM VERTICAL DECOR FRAME.
5	DARK GARY ALUMINUM PLATE COVER.
6	(N) ALUMINUM FRAMED GLASS STOREFRONT SYSTEM, WITH CLEAR AND OPAQUE PANELS,
7	(N) LED WALL MOUNTED LIGHT FIXTURE.
8	ARTICFICIAL WOOD PANEL FOR SIGN BACKGROUND.
9	ALUMINUM TRIM, 4" (H) AND 1 1/2" (H), 1 1/2" DEEP. BRUSH FIN.
10	(N) PU EXTERIOR STONE-FINISHED VENEER.
11	(N) ALUMINUM CLADDDING OF OVER HANG PATIO
12	(N) GRADE AT DRIVEWAY
13	(E) GRADE AT BUILDING

ELEVATION KEY NOTES

A. All Dimensions Shall Be Field Verified. Any discrepancies affecting project layout shall be brought to the attention of the Architect and the issues resolved prior to proceeding with the work in question.

B. Refer to Site Plan for Site and Utility Information.

C. Refer to sheet A-7 for Building Sections.

D. For Door and Windows See Schedules on sheet A-8.1 and A-8.2. All windows required for emergency exiting per C.B.C. shall be verified by the window subcontractor, and the architect shall be notified immediately if any revisions to window sizes are

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REVISIONS	DATE	BY

LICENSED ARCHITECT
QINYI - JIUN JIANG
C-25528
FEB 28 2025
RENEWAL DATE
STATE OF CALIFORNIA

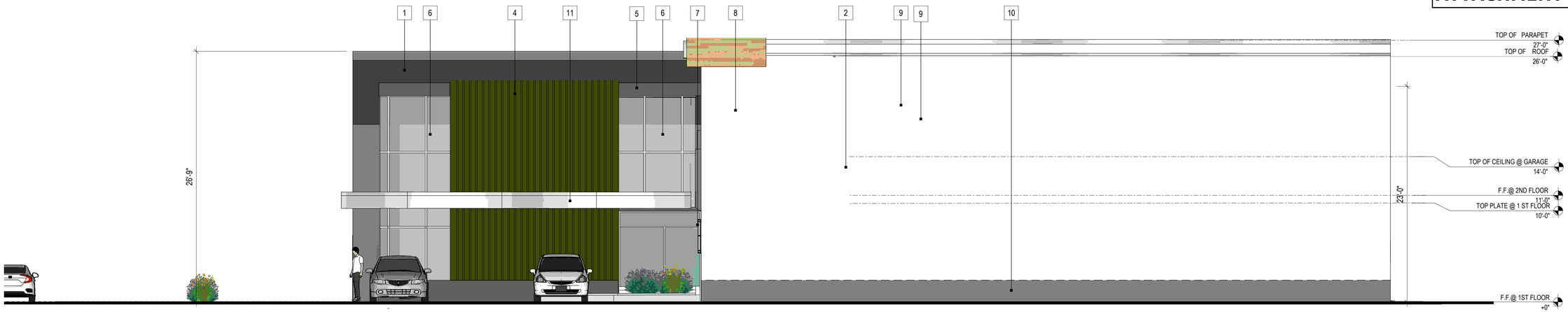
PROJECT:
TPI International
NEW WAREHOSUE PROJECT
13781 Newhope St., Garden Grove CA92843

TITLE : **S & E ELEVAIONS**

JOB NO:

DATE: 09-12-2024

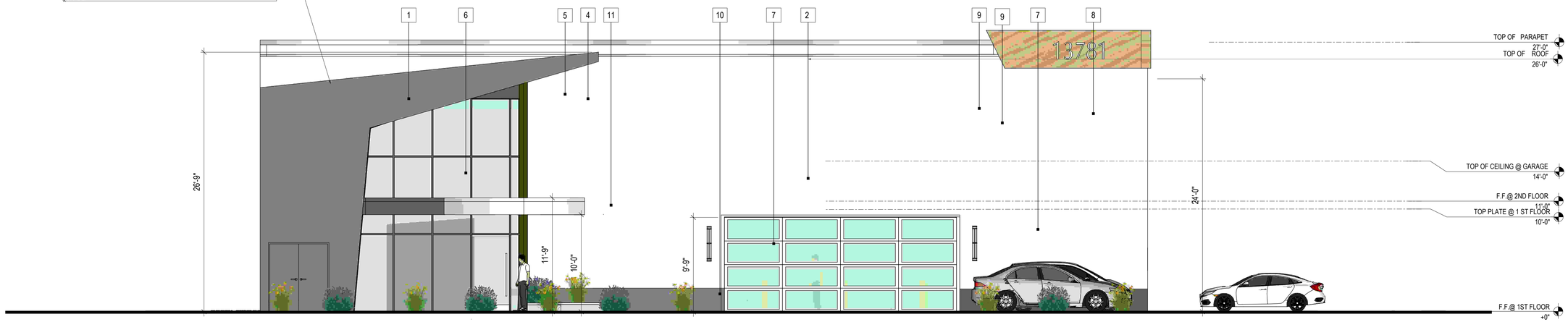
SHEET: **A - 6**



NORTH ELEVATION

SCALE : 3/16" = 1'

NOTE.
THIS PROJECT MUST COMPLY WITH THE MUNICIPAL CODE REQUIREMENTS FOR MAXIMUM HEIGHT OF THE STRUCTURE NOT TO EXCEED 30 FEET (SDMC, SECTION 131.0444 AND 132.0505). HIGHEST POINT OF THE ROOF, EQUIPMENT, PIPE, VENT, ANTENNA OR OTHER PROJECTION SHALL NOT EXCEED 30' ABOVE GRADE.



EAST ELEVATION

SCALE : 3/16" = 1'

ELEVATION KEYNOTES

1	(N) EXTERIOR STUCCO: SANTA BARBARA FINISH W/ SYNERGY STUCCO BASE AND FINISH COAT
2	COAT
3	(N) WINDOW: PER SCHEDULE SHEET
4	TINTED ALUMINUM VERTICAL DECOR FRAME.
5	DARK GARY ALUMINUM PLATE COVER.
6	(N) ALUMINUM FRAMED GLASS STOREFRONT SYSTEM, WITH CLEAR AND OPAQUE PANELS,
7	(N) LED WALL MOUNTED LIGHT FIXTURE.
8	ARTICFICIAL WOOD PANEL FOR SIGN BACKGROUND.
9	ALUMINUM TRIM, 4" (H) AND 1 1/2" (H), 1 1/2" DEEP. BRUSH FIN.
10	(N) PU EXTERIOR STONE-FINISHED VENEER.
11	(N) ALUMINUM CLADDDING OF OVER HANG PATIO
12	LASER CARVED PANEL
13	(E) GRADE AT BUILDING

ELEVATION KEY NOTES

A. All Dimensions Shall Be Field Verified. Any discrepancies affecting project layout shall be brought to the attention of the Architect and the issues resolved prior to proceeding with the work in question.

B. Refer to Site Plan for Site and Utility Information.

C. Refer to sheet A-6.1 and A-6.2 for Building Sections.

D. For Door and Windows See Schedules on sheet A-8.1 and A-8.2. All windows required for emergency exiting per C.B.C. shall be verified by the window subcontractor, and the architect shall be notified immediately if any revisions to window sizes are

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FEB 28 2025
RENEWAL DATE
STATE OF CALIFORNIA

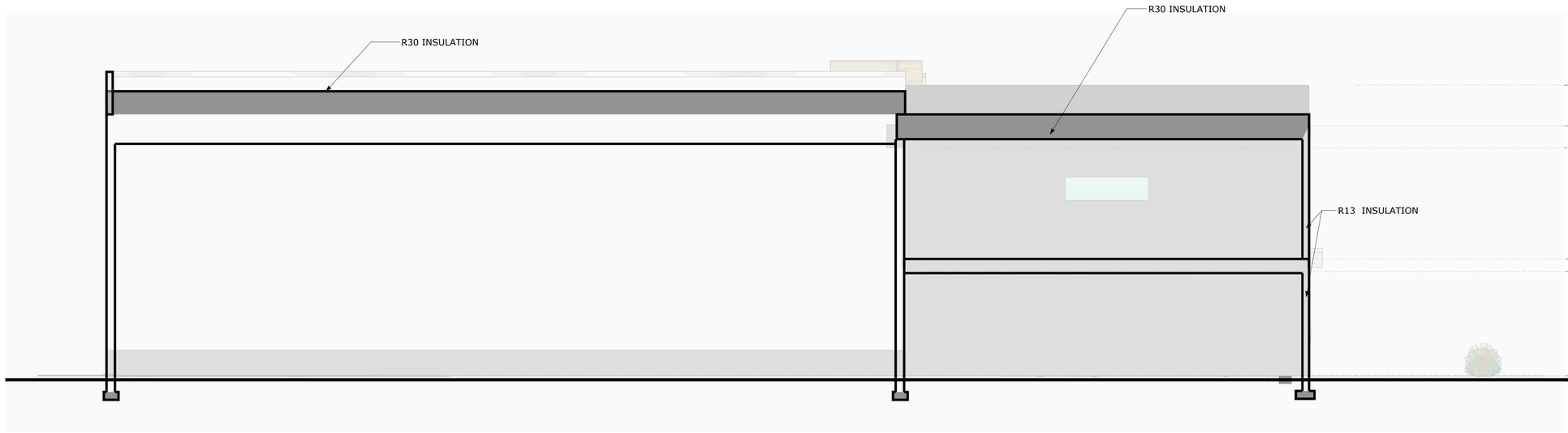
PROJECT:
TPI International
NEW WAREHOSUE PROJECT
13781 Newhope St., Garden Grove CA92843

TITLE : N & W ELEVATIONS

JOB NO:

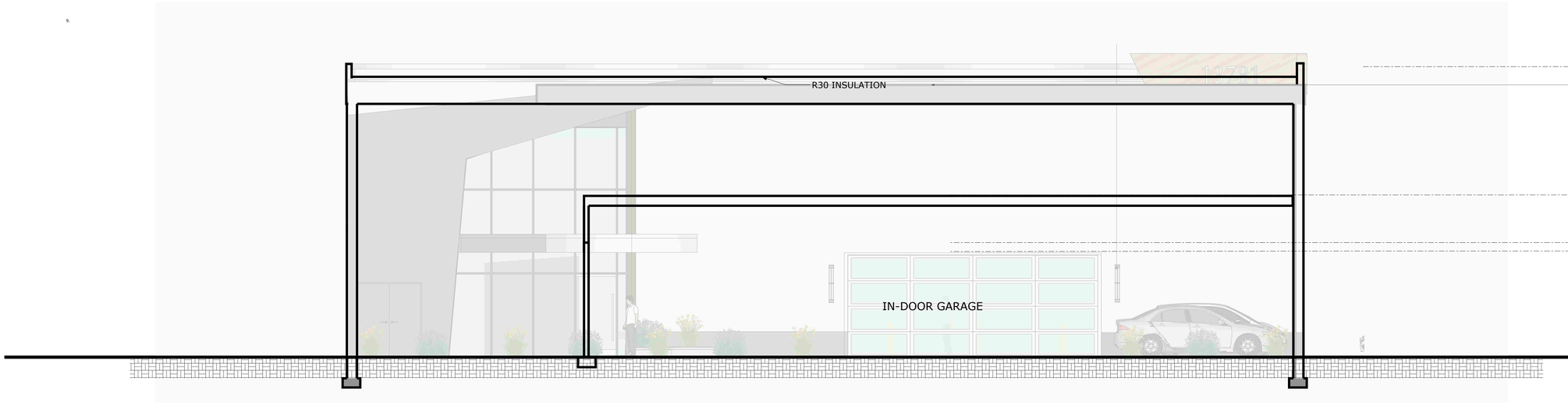
DATE: 09-12-2024

SHEET: **A - 7**



A - A SECTION

SCALE : 3/16" = 1'



B - B SECTION

SCALE : 3/16" = 1'

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REVISIONS	DATE	BY

LICENSED ARCHITECT
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FEB 28 2025
RENEWAL DATE
STATE OF CALIFORNIA

PROJECT:
TPI International
NEW WAREHOSUE PROJECT
13781 Newhope St., Garden Grove CA92843

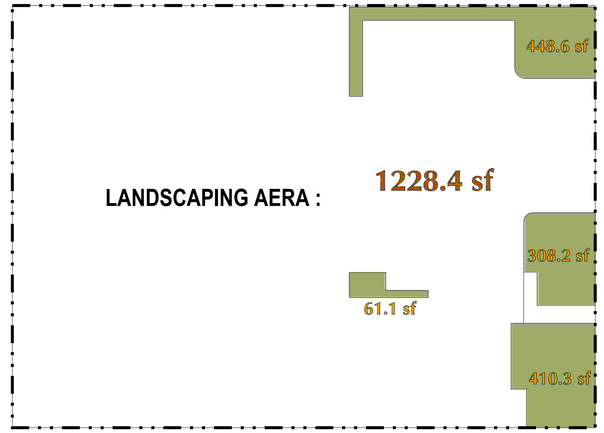
TITLE : SECTIONS

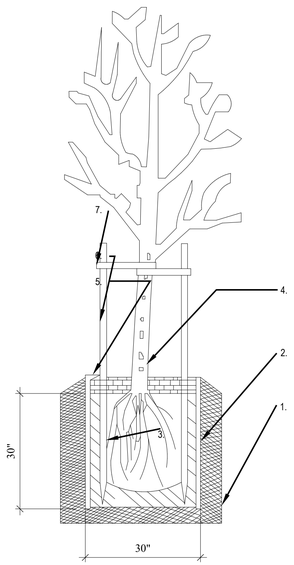
JOB NO:

DATE: 09-12-2024

SHEET: **A - 8**

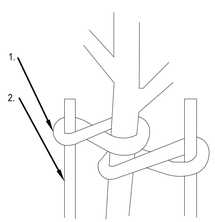
NORTH SCALE : 1" = 10' - 0"





1. Native Soil.
2. Root Barrier.
3. Planting hole backfill 30" X 30"
4. Root Ball - 15 gallons.
5. Water basin - maintain for 90 days. Deep water weekly for 2 months then once each 2-4 weeks. Allow water to slowly soak into soil to promote deep rooting.
6. Lodgepole pine stakes placed alongside of root ball and driven 30" below grade.
7. Rubber tie (2).

STAKE AND TIE DETAIL



1. Rubber ties twisted and nailed. 2 each, 3/4" X 3/8" X 24".
2. Tapered and treated lodge pole stakes. 2 each, 2" X 8'.

PLANT LEGEND

SYMBOL	ITEM NO.	BOTANICAL NAME	COMMON NAME	SIZE	QUANTITY	TYPE	RATING	MATURE/MATURE HEIGHT / SPREAD
	1	KOELREUTERIA STD.	GOLDEN RAIN TREE	24" BOX	2	STREET TREE	L	30' / 30'
	2	QUERCUS ILEX STANDARD	HOLLY OAK	24" BOX	2	TREE	L	30' / 30'
	3	MORAEA IRIDIOIDES	FORTNIGHT LILY	5 GAL.	25	SHRUB	L	3' / 3'
	4	DODONEA VISCOSA (COLUMN)	HOPSEED BUSH (COLUMN)	15 GAL.	24	SHRUB	L	15' / 12'
	5	JUNIPERUS CH. 'SPARTAN'	SPARTAN JUNIPER	24" BOX	14	SHRUB	L	15' / 4'
	6	SALVIA GREGGII "HOT LIPS	HOT LIPS SAGE	5 GAL	31	SHRUB	L	3' / 3'
	7	CALLISTEMON 'LITTLE JOHN	DWARF BOTTLEBRUSH	5 GAL	41	SHRUB	L	3' / 2.5'
	8	CISTUS HYBRID 'INCANUS'	ROCK ROSE	5 GAL	9	SHRUB	L	3' / 4'
	9	ROSIMARINUS OFFICINALIS TUSCAN BLUE	ROSEMARY	5 GAL	32	SHRUB	L	5' / 3'
	10	TULBAGHIA VIOLACEA "VARIEGATA	KOELREUTERIA STD.	5 GAL	117	SHRUB	L	1.2' / 2'
	11	PENSTEMON 'ASSORTED	BEARDED TONGUE	5 GAL	19	SHRUB	L	2' / 3'
	12	ARBUTUS UNEDO	STRAWBERRY TREE	15 GAL	9	TREE	L	15' / 15'
	13	SERCIS OCCIDENTALIS STD.	WESTERN REDBUD	24" BOX	4	TREE	L	13' / 15'
	14	PARKINSONIA ACULEATA MULTITRUNK	JERUSALEM THORN	24" BOX	4	TREE	L	15' / 15'
	15	DYMONDIA MARGARETAE	DYMONDIA	FLATS	36	GROUND COVER 6" O.C	L	3' HIGH
	16	STENOTAPHRUM SECUNDATUM	ST. AUGUSTINE	SQ.FT.	497	SODDED LAWN	L	3' HIGH

NOTE: 3" REDWOOD MULCH IN ALL PLANTING AREAS

LANDSCAPING RATIO

LANDSCAPING AREA: 1242 sf
LOT AREA: 12220 sf
1242 /12220 = 10.16 % > 10% #Ok

PLANTING PLAN

NOTE:

- I HAVE COMPLIED WITH THE CRITERIA OF THE ORDINANCE AND APPLIED THEM FOR THE EFFICIENT USE OF WATER IN THE LANDSCAPE DESIGN PLAN
- "CERTIFICATE OF COMPLETION" FORM MUST BE COMPLETED BEFORE FINAL INSPECTION ON THE APARTMENT COMPLEX.

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REVISIONS	DATE	BY

LICENSED ARCHITECT
CHYI-JIUN JIANG
C-25528
FEB 28 2025
RENEWAL DATE
STATE OF CALIFORNIA

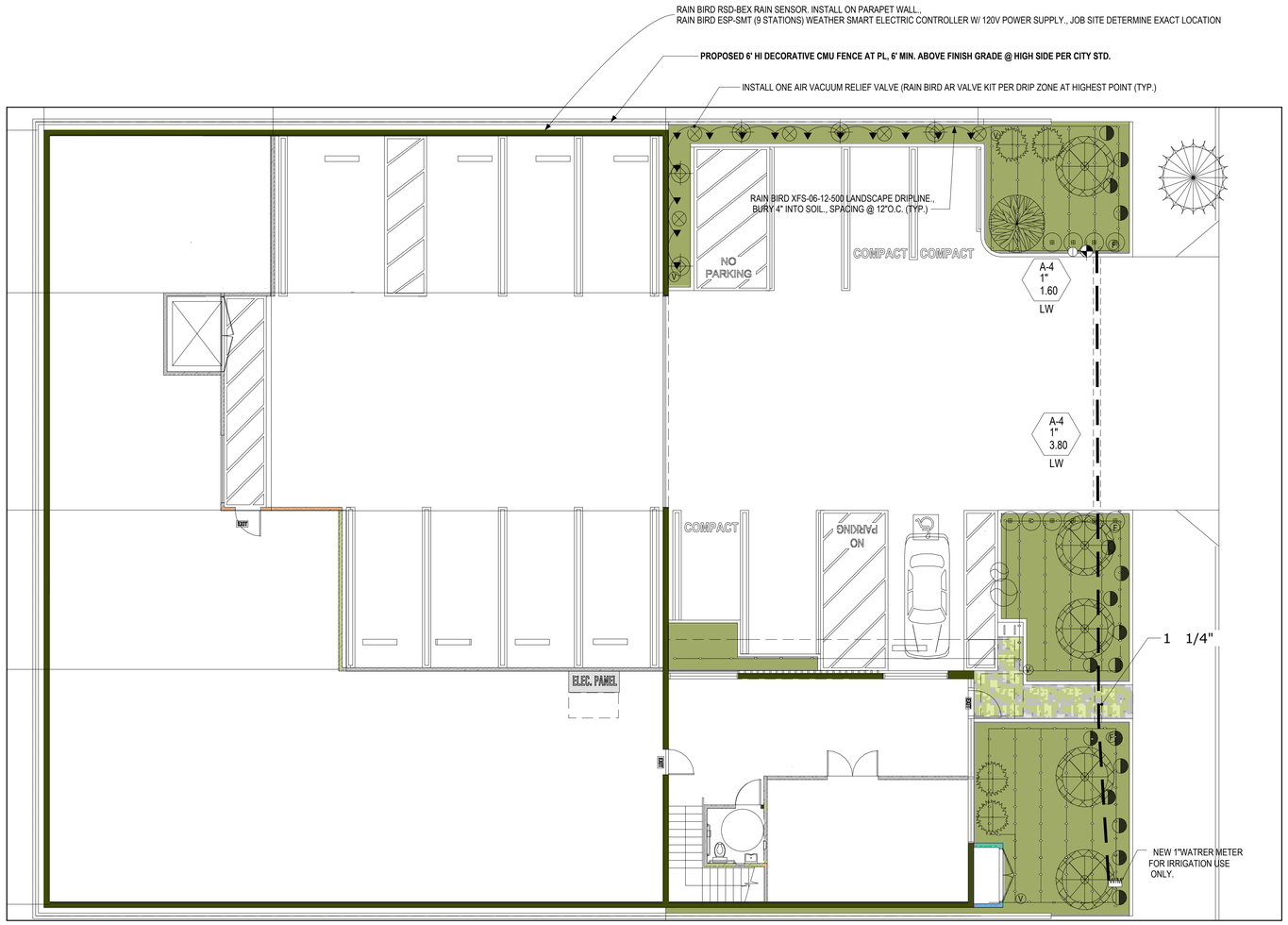
PROJECT:
TPI International
NEW WAREHOSUE PROJECT
13781 Newhope St., Garden Grove CA92843

TITLE : LANSCAPING PLAN

JOB NO:

DATE: 09-12-2024

SHEET: **L - 1**



NEWHOPE ST

IRRIGATION LEGENG

SYMBOL	MANUFACTURE	MODEL NO.	DESCRIPTION	PSI	RAD	GPM
	RAIN BIRD	XFS-06-12-500	LANDSCAPE DRIPLINE BURY 4" INTO SOIL	20	0'	0.61 GPR PER FOOT
	RAIN BIRD	XB-20	XERI-BUS EMITTER	20	0'	2.00 GPH
	RAIN BIRD	CXZ-100-PRF	REMOTE CONTROL DRIP ZONE VALVE			
	RAIN BIRD	44RC	QUICK-COUPLING VALVE			
	RAIN BIRD	AR VALVE KIT	AIR VACUUM RELIEF VALVE			
	RAIN BIRD	MDCFCAP	REDUCED PRESSURE BACKFLOW PREVENTER			
	RAIN BIRD	ESP-SMT (9 STATIONS)	INTELLI-SENSE WEATHER SMART ELECTRIC CONTROLLER			
	RAIN BIRD	RSD-BEx	AUTOMATIC RAIN SENSOR			
	RAIN BIRD	1" 825Y-BV	REDUCED PRESSURE BACKFLOW PREVENTER			
	RAIN BIRD	BTU -1250	1-1/4" MANUAL SHUT-OFF BALL VALVE			
	RAIN BIRD	PVC SCH 40	1-1/4" MAIN LINE- 18" MIN. COVER., 24" UNDER PAVING., U.O.N.			
	RAIN BIRD	XT -700	1/2" XERI- BLACK STRIPE TUBING- 2" MIN. COVER			
	RAIN BIRD	PVC SCH 40	SLEEVE- 24" MIN. COVER USE 2X DIA. SIZE OF MAIN OR LATERAL LINE			

STATION NO.
VALVE SIZE
G.P.M.
HYDROZONE

HYDROZONES		SQ.FT.	PERENTAGE
LW	LOW	3,596 S.F.	100

I HAVE COMPLED WITH THE CRITERIA OF THE ORDINANCE AND
APPLIED THEM ACCORDINGLY FOR THE EFFICIENT USE OF WATER IN THE IRRIGATION DESIGN PLAN.

IRRIGATION SCHEDULE

CONTROLLER : A (WATERING HOURS BETWEEN 10:00 P.M AND 6:00 A.M.)

STATION NO.	GPM	PROGRAM	MINUTES JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC
A -1	1.68	2 TIMES/ WK.	5	5	5	5	5	8	8	8	8	8	8	5
A - 2	3.06	2 TIMES/ WK.	5	5	5	5	5	8	8	8	8	8	5	5
A - 3	2.80	2 TIMES/ WK.	3	3	3	3	3	5	5	5	5	5	3	3
A - 4	1.47	2 TIMES/ WK.	3	3	3	3	3	5	5	5	5	5	3	3
A - 5	2.47	2 TIMES/ WK.	3	3	3	3	3	5	5	5	5	5	3	3
A - 6	2.53	2 TIMES/ WK.	3	3	3	3	3	5	5	5	5	5	3	3
A - 7	2.87	2 TIMES/ WK.	3	3	3	3	3	5	5	5	5	5	3	3
A - 8	2.33	2 TIMES/ WK.	3	3	3	3	3	5	5	5	5	5	3	3
A - 9	1.27	2 TIMES/ WK.	3	3	3	3	3	5	5	5	5	5	3	3

TOTAL ANNUAL WATER USE: 8,636.32 GALLONS

NOTES:

1. TOTAL SQUARE FOOTAGE OF NEW LANDSCAPED AREA: 3,596 SQ. FT.
2. AUTOMATIC IRRIGATION SYSTEM TO BE ADJUSTED SEASONALLY AND WITH WATERING HOURS BETWEEN 10:00 P.M. AND 6:00 A.M.
3. WIRE CROSSINGS UNDER PAVED SURFACES SHALL BE SLEEVED SEPARATELY IN SCH. 40 CONDUIT.
4. ALL PRESURIZED IRRIGATION LINES SHALL BE BACKFILLD WITH 3" OF SAND ABOVE AND BELOW LINE (6" TOTAL).
5. ALL WIRE IS A MINIMUM #14 AWG 600-VOLT DIRECT BURIAL AND UL LISTED.
6. WIRE SPLICES ARE MADE WITH WATERPROOF, NON-REUSABLE CONNECTORS.
7. EXTRA SLEEVES (4" MINIMUM) ARE INSTALLED ACROSS ROADWAYS, OR BENEATH OTHER PAVED SURFACES, WHICH ARE 7' IN LENGTH OR MORE.
8. USE 1-1/4" SIZE PVC SCHEDULE 40 PLASTIC PIPE FOR ALL MAIN LINES # 3/4" SIZE CLASS 200 PVC PIPE FOR ALL LATERAL LINES., UNLESS OTHERWISE NOTED.
9. IRRIGATION DESIGN, E.G., EQUIPMENT TYPE, PRECIPITATION RATE, TO INCORPORATE FINDINGS FROM SOIL MANAGEMENT REPORT.
10. IRRIGATION SYSTEM DESIGNED TO MATCH PRECIPITATION RATES.
11. NO RECLAIMED/RECYCLE OR GREYWATER IS USED FOR THE PROPOSED IRRIGATION SYSTEM.

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REVISIONS	DATE	BY

PROJECT:
TPI International
NEW WAREHOSUE PROJECT
13781 Newhope St., Garden Grove CA92843

TITLE: IRRIGATION PLAN

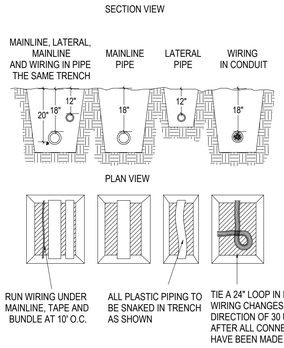
JOB NO:

DATE: 09-12-2024

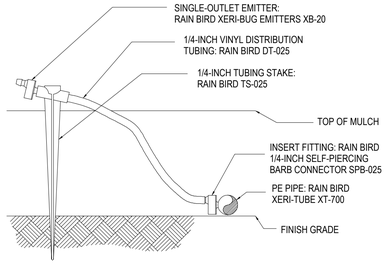
SHEET: **L - 2**

ATTACHMENT 2 - Project Plans

17 AUTOMATIC RAIN SENSOR 5

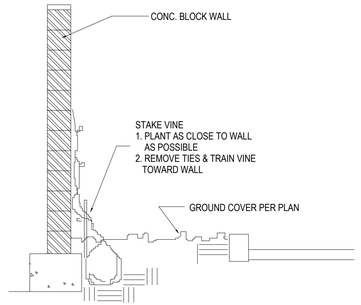


13 EMITTER INTO 1/4" TUBING

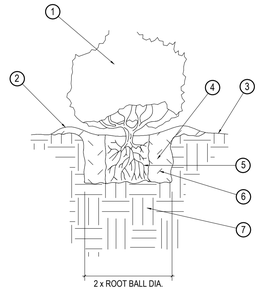


NOTE: 1. USE RAIN BIRD BUG GUN MODEL EMA-BG TO INSERT BARB CONNECTOR DIRECTLY INTO XERI-TUBE.

9 VINE PLANTING



5 SHRUB PLANTING



1.SHRUB OR VINE PER PLAN

2.EARTH WATERING BASIN (RAKE SMOOTH AT END OF PLANT ESTABLISHMENT PERIOD FOR ALL REMAINING BASINS)

3.FINISH GRADE

4.BACKFILL PER SOIL TEST RECOMMENDATIONS

5.ROOTBALL (SET CROWN 1" TO 1-1/2" FINISH GRADE)

6.AMENDED BACKFILL WITH NO ROCKS GREATER THAN 3" DIAMETER, PER SOIL TEST RECOMMENDATIONS.

7.UNDISTURBED NATIVE SOIL

1 LANDSCAPE NOTES

1. CONTRACTOR SHALL VERIFY PLANT COUNT FOR BIDDING.
2. ROOT BARRIERS SHALL BE PROVIDED FOR ALL TREES WITHIN 5' OF HARDSCAPE.
3. CONTRACTOR TO PROVIDE DRAINAGE SYSTEM FOR ALL PLANTING AREAS., SEE CIVIL ENGINEER'S GRADING & DRAINAGE PLANS.
4. SEE ARCH. & CIVIL PLANS FOR EXACT DIM. & SPECIFICATIONS.
5. EXISTING TREE INDICATE TO REMAIN SHALL BE PRESERVED & PROTECTED DURING THE COURSE OF CONSTRUCTION. NO GRADING WITHIN 5' OF TRUNK, NO CUTTING OF BRANCHES OVER 2" DIAMETER, AND NO SPILLAGE OF CHEMICALS OR WASHING PAINT OR CONCRETE SLURRY IN ROOT ZONES.
6. ALL PLANTING AREAS SHALL RECEIVE 3" MIN. MULCH COVER AS A GROUND COVER.
7. CONTRACTOR SHALL GUARANTEE PLANT MATERIAL FOR ONE YEAR AFTER INSTALLATION AND REPLACE ANY DISEASED OR DAMAGED MATERIAL DURING THAT ONE YEAR PERIOD.
8. CONTRACTOR SHALL HAVE SOIL TEST TO DETERMINE PROPER SOIL AMENDMENTS. THE FOLLOWING AMENDMENTS IS FOR BID PURPOSES ONLY: 6 CU. YD. (2) NITROGEN STABILIZED ORGANIC AMENDMENT DERMED FROM REDWOOD SAWDUST, FIR SAWDUST, OR FINELY GROUND BARK, 5 LBS. AMMONIUM SURFATE. THOROUGHLY INCORPORATED TO A DEPTH OF 12" MIN. BY ROTOTILLER EQUAL AMOUNT PER 1000 SQ. FT.

NOTE: THIS FORMULA IS A STD. MIX AND WILL CHANGE IF THERE ARE ANY UNUSUAL SOIL CONDITIONS AT THE SITE. COMPACTED BACKFILL SHALL BE 100 %ON SITE SOIL.

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REVISIONS	DATE	BY

LICENSED ARCHITECT — CHYI-JIUN JIANG — C-25528 — FEB 28 2025 — RENEWAL DATE — STATE OF CALIFORNIA

PROJECT: **TPI International**
NEW WAREHOSUE PROJECT
13781 Newhope St., Garden Grove CA92843

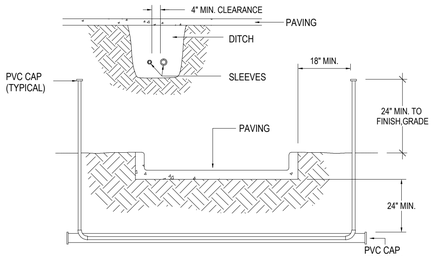
TITLE : DETAILS

JOB NO:

DATE: 09-12-2024

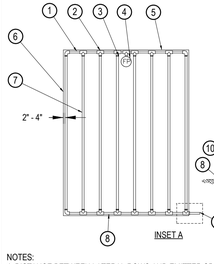
SHEET: **L - 3**

18 PIPE & WIRE TRENCHING



NOTES:
1. ALL PVC IRRIGATION SLEEVES TO BE SCH. 40 PIPE.
2. ALL JOINTS TO BE SOLVENT WELDED AND WATERTIGHT
3. WHERE THERE IS MORE THAN ONE SLEEVE, EXTEND THE SMALLER SLEEVE TO 24-INCHES MINIMUM ABOVE FINISH GRADE.
4. MECHANICALLY TAMP TO 95% PROCTOR.

14 XFCV ON-SURFACE DRIPLINE AT GRADE

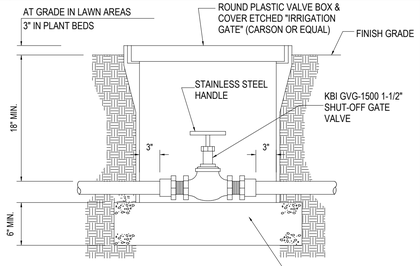


1. PVC EXHAUST HEADER
2. PVC SCH 40 TEE OR EL (TYPICAL)
3. BARB X MALE FITTING: RAIN BIRD XFF-MA FITTING (TYPICAL)
4. FLUSH POINT (TYPICAL) SEE RAIN BIRD DETAIL "XFC FLUSH POINT
5. PERIMETER OF AREA
6. PERIMETER OF AREA 6 PERIMETER DRIP LINE PIPE TO BE INSTALLED 2-4" FROM PERIMETER OF AREA
7. ON-SURFACE DRIPLINE: RAIN BIRD XF SERIES DRIPLINE (TYPICAL) POTABLE: XFCV DRIPLINE
8. PVC SUPPLY HEADER
9. PVC DRIP MANIFOLD FROM RAIN BIRD CONTROL ZONE VALVE KIT (SIZED TO MEET LATERAL FLOW DEMAND)
10. PVC SCH 40 RISER PIPE

NOTES:
1. DISTANCE BETWEEN LATERAL ROWS AND EMITTER SPACING TO BE BASED ON SOIL TYPE, PLANT MATERIALS AND CHANGES IN ELEVATION. SEE INSTALLATION SPECIFICATIONS ON RAIN BIRD WEB SITE (WWW.RAINBIRD.COM) FOR SUGGESTED SPACING.
2. LENGTH OF LONGEST DRIPLINE LATERAL SHOULD NOT EXCEED THE MAXIMUMSPACING SHOWN IN THE ACCOMPANYING TABLE.
3. WHEN USING 17MM INSERT FITTINGS WITH DESIGN PRESSURE OVER 50PSI, IT IS RECOMMENDED THAT STAINLESS STEEL CLAMPS BE INSTALLED ON EACH FITTING.

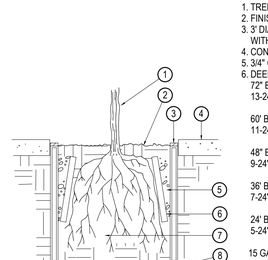
XFCV Dripline Maximum Lateral Lengths (Feet)				
	12" Spacing		18" Spacing	
Inlet Pressure psi	Nominal Flow (gph)		Nominal Flow (gph)	
	0.6	0.9	0.6	0.9
20	192	138	254	215
30	289	205	402	337
40	350	248	498	416
50	397	281	573	477
60	436	309	637	529

10 REDUCED PRESSURE ASSEMBLY



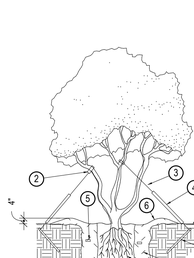
NOTES:
1. PLACE AGGREGATE PRIOR TO INSTALLATION OF VALVE BOX.
2. INSTALL CONTROL VALVES A MIN. OF 12" FROM STRUCTURES OR HARDSCAPING.
3. INSTALL VALVES IN PLANT BEDS WHEREVER POSSIBLE NEXT TO SIDEWALKS.
4. PLACE VALVE BOX AT RIGHT ANGLES TO STRUCTURES OR HARDSCAPING.
5. PLACE AGGREGATE PRIOR TO INSTALLATION OF VALVE BOX.
6. ATTACH METAL VALVE IDENTIFICATION TAG WITH APPROPRIATE CONTROLLER AND VALVE NUMBER.

6 GROUND COVER PLANTING



1. TREE (PER PLAN)
2. FINISH GRADE
3. 3' DIA. X 4'-0' PERFORATED DRAIN PIPE WITH GRATED CAP (2 PER TREE)
4. CONCRETE WALK (WHERE OCCURS)
5. 3/4" GRAVEL BACKFILL
6. DEEP ROOT" CONTROL BARRIER
   72" BOX TREE MODEL NO: UB48-2 SIZE: 13-24' x 48' PANELS PER TREE
   60' BOX TREE MODEL NO: UB48-2 SIZE: 11-24" x 48" PANELS PER TREE
   48" BOX TREE MODEL NO: UB48-2 SIZE: 9-24' x 48' PANELS PER TREE
   36' BOX TREE MODEL NO: UB36-2 SIZE: 7-24' x 36' PANELS PER TREE
   24' BOX TREE MODEL NO: UB24-2 SIZE 5-24' x 24' PANELS PER TREE
   15 GAL. TREE MODEL NO: UB18-2 SIZE3-24' 18' PANELS PER TREE
7. AMENDED BACKFILL WITH NO ROCKS GREATER THAN 3' DIAMETER, PER SOIL TEST RECOMMENDATIONS.
8. BACKFILL PER SOIL TEST RECOMMENDATIONS

2 IRRIGATION NOTES



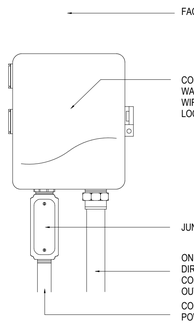
1. TREE PER PLAN
2. 1/2" DIA. BLACK RUBBER HOSE WHERE WIRE CONNECTS TO TREE
3. GALVANIZED WIRE (NO SPLICES) 3 GUY SETS MINIMUM PER TREE 12 GA. WIRE MINIMUM FOR 24"-36" BOX 10 GA. WIRE MINIMUM FOR 42" + BOX
4. 1/2" DIA. 36' LONG WHITE PVC SLEEVE 1 PER GUY WIRE
5. 7 GRAM PLANT TABLETS
   24" BOX = 12, 30" BOX = 15
   36' BOX = 18, 42' BOX = 21
   48" BOX = 24, 54" BOX = 27
   60" BOX = 30, 72" BOX = 33
6. EARTH WATERING BASIN (RAKE SMOOTH AT END OF PLANT ESTABLISHMENT PERIOD FOR ALL REMAINING BASINS)
7. FINISH GRADE
8. ANCHOR STAKES (2x2x30' REDWOOD OR 1' DIA. x 30" GALVANIZED PIPE)
9. NATIVE BACKFILL WITH NO ROCKS GREATER THAN 3' DIAMETER.
10. ROOTBALL (SET CROWN +/- 3' ABOVE FINISH GRADE
11. UNDISTURBED NATIVE SOIL

19 SLEEVING

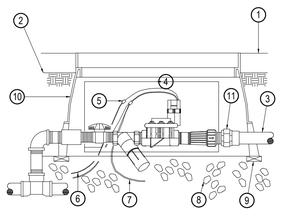
PRESSURE LOSS CALCULATION FOR WORST CASE VALVE A-6

PRESSURE NEEDED AT SPRINKLER	= 20 PSI +
PRESSURE LOSS:	
FOR 2.53 GPM THROUGH 211' OF 1/2" DRIPLINE	= 4.2200 +
FOR 2.53 GPM THROUGH 3 OF 3/4" SCH 40 PVC PIPE	= 0.0249 +
FOR 2.53 GPM THROUGH A 1" ELECTRIC VALVE	= 4.5000 +
FOR 2.53 GPM THROUGH 150' OF 1" SCH 40 PVC PIPE	= 0.2950 +
FOR 2.53 GPM THROUGH 1" BACKFLOW PREVENTER	= 8.0000 +
ESTIMATE FOR FITTING LOSS: 10 % OF ALL PIPE LOSSES	= 1.4596 +
PRESSURE LOSS DUE TO ELEVATION RISE	= 6.2914 +
TOTAL PRESSURE REQUIRED BY THE SYSTEM	= 42.0944 PSI
EXISTING PRESSURE AT P.O.C.	= 65 PSI
RESIDUAL PRESSURE	= 22.9056 PSI

15 XFCV ON-SURFACE DRIPLINE LAYOUT



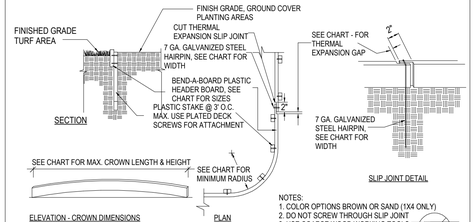
11 SHUT-OFF GATE VALVE



1. MULCH BED.
2. FINISH GRADE
3. PVC PIPE (DEPTH PER SPECIFICATION)
4. RAIN BIRD MODEL # XCZ-075 XERIGATION CONTROL ZONE ASSEMBLY.
5. WIRE CONNECTOR
6. PILOT WIRE
7. COMMON WIRE.
8. 3/4" CRUSHED ROCK,
9. 2' x 4" x 12' REDWOOD FOR SUPPORT
10. 12' x 18' RECTANGULAR VALVE BOX.
11. PVC UNION FOR SERVICING ASSEMBLY.

NOTE:
1. CONTROL WIRE SHALL BE MIN. #14 AWG 600 VOLT. DIRECT BURIAL AND UL LISTED.
2. WIRE SPLICES ARE MADE WITH WATERPROOF, NON-REUSABLE CONNECTORS

7 ROOT BARRIER



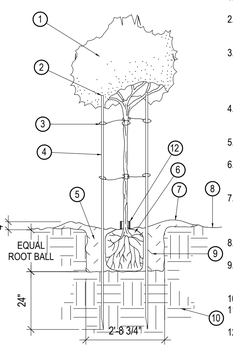
HDR SIZE	ACTUAL DIMENSIONS	MINIMUM RADIUS POSSIBLE	MINIMUM CROWN POSSIBLE	THERMAL EXPANSION GAP AT SLIP JOINT	SLIP JOINT HAIRPIN DIMENSIONS
1/2 X 4	3 1/2" x 5/16" x 20'	6"	22" X 20'	N/A	N/A
1 X 4	3 1/2" x 3/4" x 20'	24"	18" X 20'	1/4" - 1/2"	3/4" ID X 13"
2 X 4	3 1/2" x 1 1/2" x 20'	36"	16" X 20'	1/2" - 3/4"	1 1/2" ID X 13"
1 X 6	5 1/2" x 3/4" x 20'	24"	9" X 20'	1/2" - 3/4"	3/4" ID X 13"
2 X 6	5 1/2" x1 1/2" x 16'	36"	N/A	3/4" - 1"	N/A

NOTES:
1. COLOR OPTIONS BROWN OR SAND (1X4 ONLY)
2. DO NOT SCREW THROUGH SLIP JOINT
3. USE COARSE WOOD WORKING TOOLS FOR CUTTING & DRILLING
4. USE PLATED SCREWS OR RING SHANK NAILS TO JOIN BOARD TO STAKE
5. ALLOW FOR THERMAL EXPANSION & CONTRACTION BY LEAVING GAPS IN THE SLIP JOINTS OR AT THE END OF THE RUN CSEE CHART
   WARM WEATHER INSTALL MIN GAP
   COLD WEATHER INSTALL MAX GAP
6. STAKE APPROX 3' O' OC (MORE FOR STRAIGHT RUNS LESS FOR CURVES)

MANUFACTURED BY: EPIC PLASTICS, 104 EAST TURNER RD., LODI CA 95240 URL ADDRESS: www.epicplastics.com

BEND-A-BOARD IS INTENDED FOR NON-STRUCTURAL USE ONLY

3 TREE GUYING - 36" BOX & LARGER



1. TREE PER PLAN
2. TRIM TOP OF STAKES BELOW LOWEST BRANCHES TO PREVENT DAMAGE
3. (2 REQUIRED) "V.I.T." TREE BRACES SECURE TO LODGE POLES WITH GALVANIZED SCREWS OR 2-CINCH TIES CAN BE USED WITH GALVANIZED SCREWS
4. 2" DIA. X 10' LONG LODGE POLE STAKES (INSTALL OUTSIDE OF ROOTBALL)
5. BACKFILL PER SOIL TEST RECOMMENDATIONS
6. ROOTBALL (SET CROWN +/- 3" ABOVE FINISH GRADE)
7. EARTH WATERING BASIN (RAKE SMOOTH AT END OF PLANT ESTABLISHMENT PERIOD FOR ALL REMAINING BASINS)
8. FINISH GRADE
9. AMENDED BACKFILL WITH NO ROCKS GREATER THAN 3" DIAMETER, PER SOIL TEST RECOMMNDATIONS.
10. UNDISTURBED NATIVE SOIL
11. PLANT PIT 2X DIAMETER EQUAL DEPTH OF ROOTBALL
12. ARBOR GUARD FOR TREES IN TURF AREA 2 x ROOTBALL DIA.

20 PRESSURE LOSS CALCULATION

16 CONTROLLER - WALL MOUNT

12 XERIGATION CONTROL ZONE IN VALVE BOX

8 BEND-A-BOARD PLASTIC HEADER BOARD

4 TREE PLANTING - 24" BOX & SMALLER

RECORDING REQUESTED BY:

WHEN RECORDED MAIL TO:
City of Garden Grove
P.O. Box 3070
Garden Grove, CA 92842
Attn: Planning Services Division

ATTACHMENT 3 - LLA Application

SPACE ABOVE THIS LINE FOR RECORDERS USE

LOT LINE ADJUSTMENT NO. LLA-XXX-XXXX

RECORD OWNERS:

PARCEL NO.	100-141-02	**PARCEL NO.**	100-141-03
NAME:	LOC TRAN	**NAME:**	LOC TRAN
ADDRESS:	13781 NEWHOPE ST	**ADDRESS:**	13781 NEWHOPE ST
	GARDEN GROVE, CA 92843		GARDEN GROVE, CA 92843
NAME:		**NAME:**	
ADDRESS:		**ADDRESS:**	

(I/We) hereby certify that: 1) (I am/We are) the record owner(s) of all parcels proposed for adjustment by this application, 2) (I/We) have knowledge of and consent to the filing of this application, and 3) the information submitted in connection with this application is true and correct.

APPLICANT/OWNER

By: [signature]
Title: Owner

By:
Title:

By:
Title:

Date: 02/03/2025
Contact Person: Loc Tran
Daytime Phone No.: 214-682-5559

APPLICANT/OWNER

By:
Title:

By:
Title:

By:
Title:

Date:
Address:

SPACE BELOW FOR OFFICIAL USE ONLY

Date Received	Land Use Designation	CEQA Status	Subdivision Committee Action **APPROVED** Date:	Land Use **APPROVED** By: Date:
Zoning	AP Numbers	Filing Fee	Date Filed Receipt Number	Recording Date

City of Garden Grove
Planning Services Division
(714) 741-5312

EXHIBIT A

LOT LINE ADJUSTMENT NO. LLA-_XXX_-_XXXX_

(LEGAL DESCRIPTION)

OWNERS	EXISTING PARCELS AP NUMBER	PROPOSED PARCELS REFERENCE NUMBER
LOC TRAN	100-141-02	PARCEL A
LOC TRAN	100-141-03	PARCEL A

PARCEL A

ALL OF THE NORTHERLY 94.00 FEET OF THE SOUTHERLY 100.00 FEET OF THE EAST 170.00 FEET OF THE NORTH 10 ACRES OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 5 SOUTH, RANGE 10 WEST, IN THE RANCHO LAS BOLSAS, IN THE CITY OF GARDEN GROVE, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS SHOWN ON A MAP RECORDED IN BOOK 51, PAGE 12 OF MISCELLANEOUS MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEASTERLY CORNER OF THE NORTHERLY 94.00 FEET OF THE SOUTHERLY 100.00 FEET OF THE EAST 170.00 FEET OF THE NORTH 10 ACRES OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 5 SOUTH, RANGE 10 WEST, IN THE RANCHO LAS BOLSAS, THENCE ALONG THE SIDELINES OF SAID NORTHERLY 94.00 FEET OF THE SOUTHERLY 100.00 FEET OF THE EAST 170.00 FEET OF THE NORTH 10 ACRES OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 4 THE FOLLOWING FOUR (4) COURSES:

1: *SOUTH 00° 56' 00" WEST 94.00 FEET*
2: *NORTH 89°03' 36" WEST 170.00 FEET*
3: *NORTH 00° 56' 00" EAST 94.00 FEET*
4: *SOUTH 89° 03' 36" WEST 170.00 FEET TO THE POINT OF BEGINNING.*

CONTAINING 15,980.00 SQUARE FEET.

AS SHOWN ON EXHIBIT B, ATTACHED HERETO AND BY THIS REFERENCE MADE A PART THEREOF.

THIS DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION.

10/8/24
JEFFREY S. FARLESS
PLS 9115

ATTACHMENT 3 - LLA Application

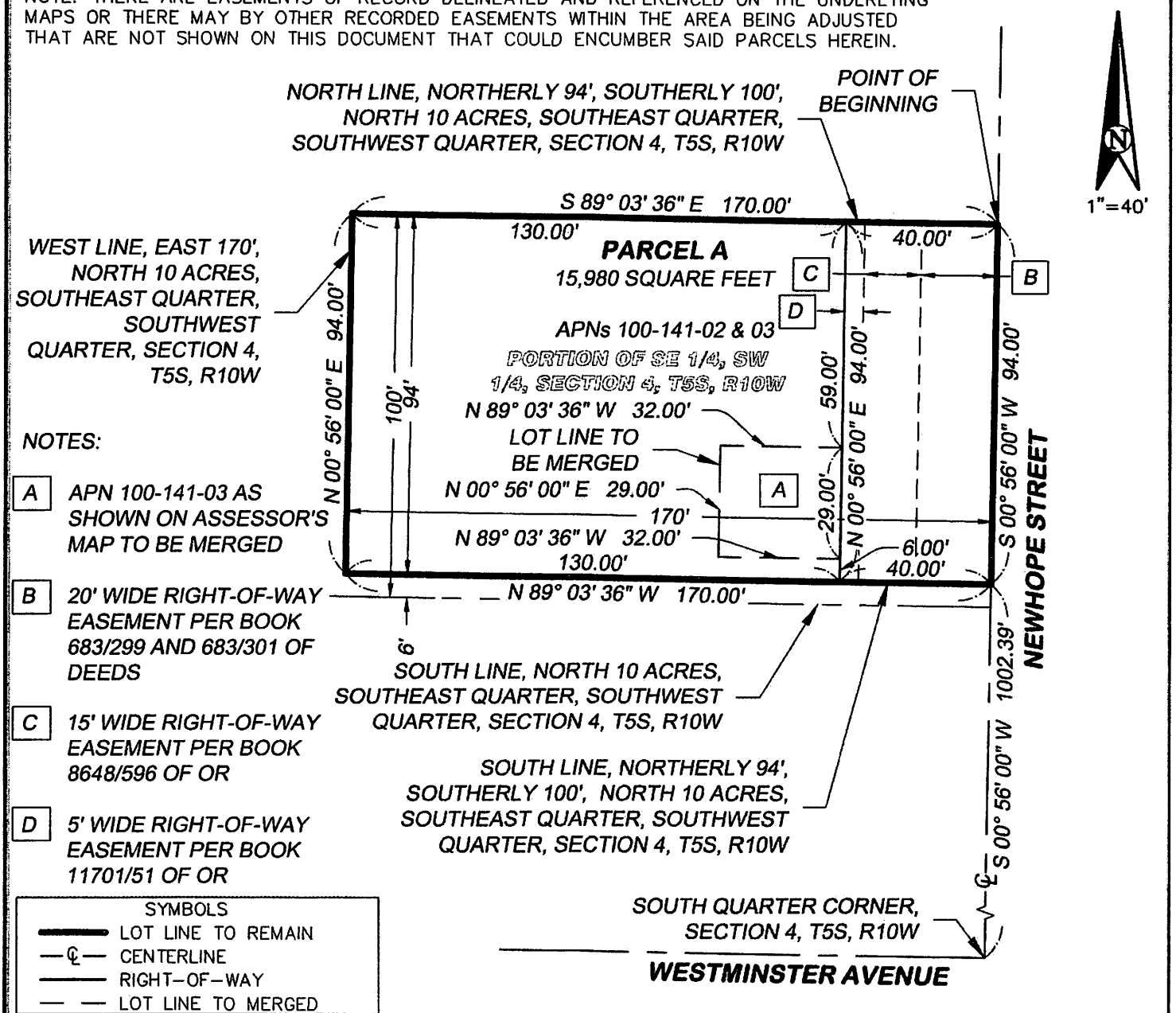
EXHIBIT B

LOT LINE ADJUSTMENT NO. LLA- XXX - XXXX

(MAP)

OWNERS	EXISTING PARCELS AP NUMBER	PROPOSED PARCELS REFERENCE NUMBER
LOC TRAN	100–141–02	PARCEL A
LOC TRAN	100–141–03	PARCEL A

NOTE: THERE ARE EASEMENTS OF RECORD DELINEATED AND REFERENCED ON THE UNDERLYING MAPS OR THERE MAY BY OTHER RECORDED EASEMENTS WITHIN THE AREA BEING ADJUSTED THAT ARE NOT SHOWN ON THIS DOCUMENT THAT COULD ENCUMBER SAID PARCELS HEREIN.



NOTES:

A — APN 100-141-03 AS SHOWN ON ASSESSOR'S MAP TO BE MERGED

B — 20' WIDE RIGHT-OF-WAY EASEMENT PER BOOK 683/299 AND 683/301 OF DEEDS

C — 15' WIDE RIGHT-OF-WAY EASEMENT PER BOOK 8648/596 OF OR

D — 5' WIDE RIGHT-OF-WAY EASEMENT PER BOOK 11701/51 OF OR

SYMBOLS
- LOT LINE TO REMAIN
- —℄— CENTERLINE
- RIGHT–OF–WAY
- — — LOT LINE TO MERGED

ATTACHMENT 3 - LLA Application

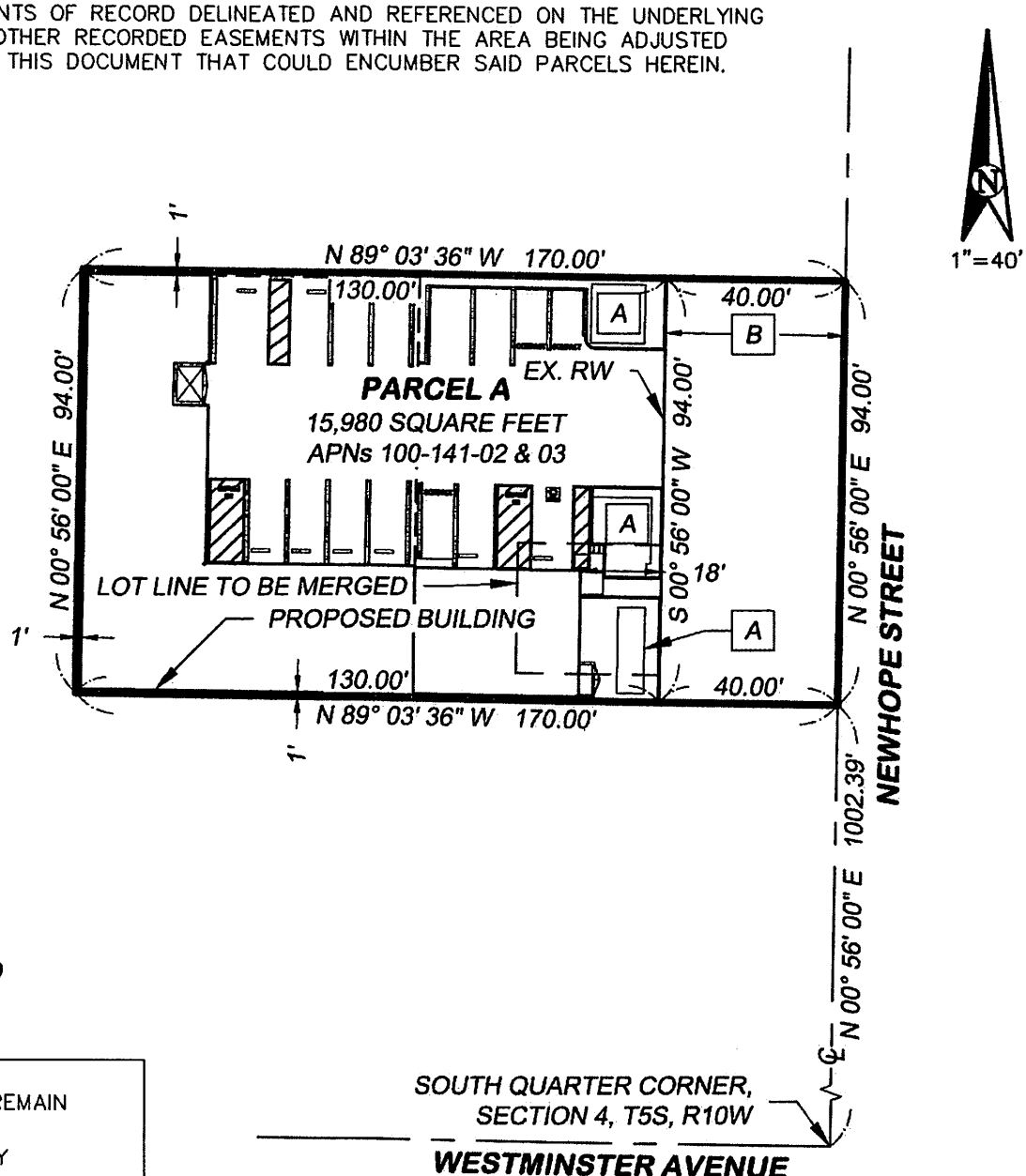
EXHIBIT C

LOT LINE ADJUSTMENT NO. LLA- XXX - XXXX

(SITE PLAN)

OWNERS	EXISTING PARCELS AP NUMBER	PROPOSED PARCELS REFERENCE NUMBER
LOC TRAN	100–141–02	PARCEL A
LOC TRAN	100–141–03	PARCEL A

NOTE: THERE ARE EASEMENTS OF RECORD DELINEATED AND REFERENCED ON THE UNDERLYING MAPS OR THERE MAY BY OTHER RECORDED EASEMENTS WITHIN THE AREA BEING ADJUSTED THAT ARE NOT SHOWN ON THIS DOCUMENT THAT COULD ENCUMBER SAID PARCELS HEREIN.



NOTES:

A — *PROPOSED RETENTION BASIN*

B — *40' WIDE RIGHT-OF-WAY EASEMENTS PER BOOK 683/299 AND 683/301 OF DEEDS ALSO 8648/596 AND 11701/51 OF OR*

SYMBOLS
- LOT LINE TO REMAIN
- —℄— CENTERLINE
- RIGHT–OF–WAY
- — — LOT LINE TO BE ADJUSTED

ATTACHMENT 4 - Resolution

RESOLUTION NO. 6110-25

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE APPROVING LOT LINE ADJUSTMENT NO. LLA-035-2025 AND SITE PLAN NO. SP-154-2025 FOR PROPERTIES LOCATED ON THE WEST SIDE OF NEWHOPE STREET, NORTH OF WESTMINSTER AVENUE, SOUTH OF WOODBURY ROAD AT 13781 NEWHOPE STREET, ASSESSOR'S PARCEL NOS. 100-141-02 AND 100-141-03.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on April 3, 2025, does hereby approve Lot Line Adjustment No. LLA-035-2025 and Site Plan No. SP-154-2025 for land located on the west side of Newhope Street, north of Westminster Avenue, south of Woodbury Road at 13781 Newhope Street, Assessor's Parcel Nos. 100-141-02 and 100-141-03, subject to the Conditions of Approval attached hereto as "Exhibit A."

BE IT FURTHER RESOLVED in the matter of Lot Line Adjustment No. LLA-035-2025 and Site Plan No. SP-154-2025, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by Bill Chow (the "Applicant"), with the authorization of the property owner, Loc Tran.

2. The applicant is requesting approval of (1) a Lot Line Adjustment to consolidate two parcels into a single, approximately 0.28-acre lot, and (2) a Site Plan to construct a new 5,658 square-foot industrial warehouse, with an attached 3,100 square-foot parking garage, and associated site improvements. (collectively, the "Project").

3. The Planning Commission hereby determines that this project is categorically exempt from review under the California Environmental Quality Act ("CEQA") pursuant to Section 15303 (New Construction or Conversion of Small Structures) and Section 15305 (Minor Alteration in Land Use Limitations) of the CEQA Guidelines (14 Cal. Code Regs., Sections 15303 and 15305).

4. The property has a General Plan Land Use designation of Industrial (I), and is zoned Limited Industrial (M-1). The subject site is currently vacant, with two (2) parcels comprising approximately 0.28 acres.

5. Existing land use, zoning, and General Plan designation of property within the vicinity of the subject property have been reviewed.

6. Report submitted by City Staff was reviewed.

7. Pursuant to a legal notice, a public hearing was held on April 3, 2025, and interested persons were given an opportunity to be heard.

8. The Planning Commission gave due and careful consideration to the matter during its meeting of April 3, 2025, and considered all oral and written testimony presented regarding the project.

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 9.04.030, 9.32.030, and 9.40.190 are as follows:

FACTS:

The subject site is currently comprised of a larger parcel, with a separate, inset parcel toward the southeast corner of the site, both of which are owned by the subject property owner. The smaller parcel was previously used as a well, but has been formally abandoned. Both parcels are currently zoned M-1 (Limited Industrial, and have a General Plan Land Use Designation of I (Industrial). To the north, south, and east, across Newhope Street, the subject property is adjacent to M-1 zoned properties. The site abuts Woodbury Elementary School in the O-S (Open Space) zone to the west.

Prior to the incorporation of the City, the property was improved with a single-family residence. The property was later rezoned from R-1 (Single-Family Residential) to M-1 (Limited Industrial). In 2002, the Planning Commission approved Conditional Use Permit No. CUP-614-02 for a contractor storage yard use. The contractor storage yard was operational at the location until 2018, according to business license records. In 2019, a permit was issued to demolish the existing building and associated site improvements.

Now, the applicant is requesting to consolidate the parcels via a Lot Line Adjustment. The requested Lot Line Adjustment would consolidate the two (2) properties into a single, 0.28-acre parcel. The applicant is also requesting Site Plan approval to construct a new 8,758 gross square-foot industrial building, inclusive of an attached parking garage.

Currently, the subject property at 13781 Newhope Street has a former well site within the property line boundaries. The well has been abandoned, and is no longer operational. Both parcels are owned by the subject property owner. To accommodate the proposed building, the two parcels would be consolidated via a Lot Line Adjustment. As a result of the Lot Line Adjustment, the consolidated property would ultimately total 12,220 net square feet. While this would not meet the minimum 15,000 square-foot minimum lot size required in the M-1 zone, the Municipal Code (GGMC) considers properties established before November 12, 1960 to comply with the minimum lot size currently applicable by the subject zone. The current lot configuration has been established since at least the City's incorporation in 1956.

The building would feature a main entrance, along the southern property line, fronting toward Newhope Street to the east. At the main entrance would be an approximately

591 square-foot office and reception area. Included next to the main entrance would also be approximately 412 square feet of storage space. Above the ground-level office and storage area would be an additional 942 square-foot second-floor office area. The remaining 3,713 square feet of the building would consist of open floor area, intended for a warehouse/distribution type use.

Vehicle traffic would access the site via a new driveway on Newhope Street. A twenty-five foot (25'-0") wide two-way drive aisle would provide vehicular circulation on-site, connecting the driveway, the outdoor parking lot, and the indoor parking garage. The project is not designed to accommodate heavy duty trucks, no truck loading bays are proposed, and operation of the facility will not result in heavy truck traffic.

The proposed building's warehouse area would be approximately 4,125 square feet, and the office would be approximately 1,533 square feet. The office space would total approximately 27.1% of the floor area. In total, thirteen (13) parking spaces would be required for the use. The subject site would provide fourteen (14) striped parking spaces, a surplus of one (1) space.

The site would provide approximately 1,228 square feet of landscaping (10.2%), complying with the GGMC standard

At the highest point, the warehouse roof would stand approximately twenty-six feet (26'-0") tall. The building parapet atop the warehouse would extend to a maximum height of approximately twenty-eight feet (28'-0") at the highest point. Both the roofs and the parapet would be within the maximum allowable building height of thirty-five feet (35'-0") for the subject M-1 zone.

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.

   The General Plan Land Use Designation of the subject site is Industrial (I), which is intended to encourage general industrial uses, such as warehousing and distribution or business parks, and more intensive industrial uses, such manufacturing, fabrication, assembly, processing, trucking, warehousing and distribution, and servicing. The M-1 zoning implements the General Plan, and is intended to provide for small- and medium-size industrial uses that are generally compatible with one another and are not generally adverse to adjacent residential and commercial uses, provided proper screening measures are utilized. The proposed project is consistent with the goals, policies, and implementation programs of the General Plan, including the following:

Goal LU-1: *The City of Garden Grove is a well-planned community with sufficient land uses and intensities to meet the needs of anticipated growth and achieve the community's vision*.

The proposed project site was previously used for residential and industrial uses. Since 2019, the site has been vacant. The new building would be used for warehouse and distribution uses. By replacing a vacant property with a new use, the project could help the City to be a more economically viable destination for industrial uses into the foreseeable future.

Policy LU-2.4: *Assure that the type and intensity of land use are consistent with those of the immediate neighborhood.*

The subject site abuts industrial uses in M-1 zoned properties to the north, south, and east, across Newhope Street. To the west, the subject site is adjacent to Woodbury Elementary School in the O-S (Open Space) zone. The proposed building would be used as a warehouse and distribution industrial use. This use would be compatible in both intensity and use with the surrounding industrial buildings.

Goal LU-4: *The City seeks to develop uses that are compatible with one another*.

The proposed industrial building would be located in an area with existing industrial uses. Various industrial uses, including the City's Public Works yard, manufacturing, distribution, and storage/warehousing facilities are found in the same zone, in the immediate vicinity of the subject site. The siting of the proposed industrial use would continue the development patterns of the immediate surroundings.

Policy LU-4.4: *Avoid intrusion of non-residential uses incompatible with established residential neighborhoods.* The subject property is not directly adjacent to residential uses.

The use of the property as a warehousing and/or distribution facility would not intrude on established residential neighborhoods. The design of the proposed building, however, has taken into account any impacts on the vicinity, and has therefore proposed landscaping, and other visual screening methods to help limit any impacts of the building. The project is not designed to accommodate heavy duty trucks, no truck loading bays are proposed, and operation of the facility will not result in heavy truck traffic. Additionally, the proposed Conditions of Approval would help ensure the project does not have undue impacts on the surrounding area.

Policy LU-4.5: *Require that the commercial and industrial developments adjoining residential uses be adequately screened and buffered from residential areas*.

The subject property is not directly adjacent to residential uses. The design of the proposed building, however, has taken into account any impacts on the vicinity, and has proposed landscaping, and other visual screening methods to help limit any impacts of the building.

Goal LU-7: *Industrial areas that contribute in terms of jobs and the economic impacts they provide.*

The proposed project would replace a vacant parcel with an industrial building along with associated site improvements. The new building would add to the portfolio of industrial buildings along Newhope Street. This could help contribute jobs and economic impacts.

Policy LU-7.3: *Monitor the appearance of industrial properties to prevent areas of decline by requiring improved maintenance or rehabilitation, as necessary*.

The proposed project would redevelop the entirety of the subject site. As a brand new construction, the project would rid the site of potential property maintenance issues involved with a vacant property. Furthermore, the Conditions of Approval associated with the project would require the proper maintenance of the development, including, but not limited to, maintenance of landscaping, trash disposal, and graffiti abatement.

Policy CD-1.1: *Enhance the positive qualities that give residential, commercial, and industrial areas their unique identities, while also allowing flexibility for innovative design.*

The new industrial building would be constructed in a contemporary design. The new building, while still compatible with the surrounding area, features a unique identity. A variety of proposed colors, materials, and architectural features would help build visual intrigue.

Policy CD-7.1: *Encourage future development and redevelopment projects to reinforce district scale, identity, and urban form.*

Whilst consolidating two properties to one, and constructing a new industrial building, the proposed project would maintain consistent development patterns with its surroundings. The immediate vicinity includes a variety of industrial buildings and uses. The proposed building would reinforce the scale, identity, and form of these adjacent buildings.

2. The project 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.

Vehicle traffic can access the site from Newhope Street. A twenty-five foot (25'-0") wide two-way drive aisle would provide the vehicular circulation on-site, connecting the driveway, the outdoor parking lot, and the indoor parking garage. The project is not designed to accommodate heavy duty trucks, no truck loading bays are proposed, and operation of the facility will not result in heavy truck traffic. A mixture of standard, accessible, and compact vehicular parking spaces would be provided along either side of the drive aisle. The parking garage would feature standard parking spaces and a turnaround area. The City's Engineering Division has reviewed the on- and off-site vehicle circulation, and has not raised any concerns with the project design.

The design of the building would also provide new pedestrian access to Newhope Street. Pedestrians from Newhope Street would pass through a landscaped area before reaching the main entrance of the building. A small covered area is provided at the main entrance. This pedestrian access also connects to the required accessible parking space in the parking lot. The City's Building and Safety Division has reviewed the on- and off-site pedestrian access, and has not raised any concerns with the project design.

Parking requirements of the GGMC for "Industrial Uses, Buildings Less Than 20,000 of gross floor area" stipulate a minimum of 2.25 parking spaces are required per 1,000 square feet of gross floor area. Incidental offices associated with the industrial use that do not exceed 30% of the gross floor area do not require additional parking.

The proposed building's warehouse area would be approximately 4,125 square feet, and the office approximately 1,533 square feet. The office space would total approximately 27.1% of the floor area. This does not exceed 30% of the building area, and therefore would not require additional parking. In total, thirteen (13) parking spaces would be required for the use. The subject site would provide fourteen (14) striped parking spaces, a surplus of one (1) space.

The Community Development Department, and the Public Works Department, Engineering Division, have reviewed the plans and all appropriate conditions of approval and mitigation measures have been incorporated to minimize any adverse impacts on surrounding streets. Accordingly, the design of the project would not adversely affect essential on-site facilities such as off-street parking, loading and unloading areas, traffic circulation, and vehicular and pedestrian access.

3. The project will not adversely affect essential public facilities such as streets and alleys, utilities and drainage channels.

   The streets in the area are adequate to accommodate the development. Existing utilities and drainage channels in the area are adequate to accommodate the development. The proposed development will install and maintain landscaping, allowing adequate drainage of stormwater. Landscaping will also be rehabilitated along the street frontage of Newhope Street. A preliminary water quality management plan (WQMP) has been reviewed and approved by the Engineering Division. The Public Works Department has reviewed the project, and has incorporated all of the appropriate conditions of approval to minimize any adverse impacts.

4. The project will not adversely impact the Public Works Department's ability to perform its required function.

   The Public Works Department has reviewed the project, and has incorporated all of the appropriate conditions of approval to minimize any adverse impacts to ensure the project will not adversely impact the Public Works Department's ability to perform its required function(s).

5. The project is compatible with the physical, functional, and visual quality of the neighboring uses and desirable neighborhood characteristics.

   The subject site abuts industrial uses in the M-1 zone to the south, north, and east across Newhope Street. To the west of the subject property, the site is adjacent to Woodbury Elementary School in the O-S (Open Space) zone.

   The proposed project would redevelop a currently vacant property. The proposed warehouse distribution building would be compatible with the other uses in the area. Architecturally, the facility has been designed with a façade that would be aesthetically complimentary with the surrounding industrial buildings. A variety of colors, materials, and massing help create visual intrigue. Contemporary architectural styles are compatible with the nearby industrial uses.

   The proposed building will provide adequate parking, vehicular and pedestrian circulation for access to and from the site, and new landscaping. The architecture and design of the project will be of sufficiently high quality, consistent with developments elsewhere in the surrounding industrial area.

   The project has been designed in accordance with the development standards applicable to the subject M-1 zone. The project would meet all applicable Municipal Code and General Plan development standards, including, but not limited to: building setbacks, FAR, building height, parking, and landscaping. The City’s Community Development Department has reviewed the proposed

project, and all appropriate conditions of approval have been incorporated to ensure physical, functional, and visual compatibility with the project's surroundings.

6. Through the planning and design of buildings and building placement, the provision of open space landscaping and other site amenities will attain an attractive environment for the occupants of the property.

The proposed building will provide adequate parking, vehicular and pedestrian circulation for access to and from the site, and new landscaping. The architecture and design of the building will be of sufficiently high quality, consistent with the industrial buildings nearby.

The industrial building would be located in the rear of the site, with parking along the northern property line, and landscaping fronting toward Newhope Street. The entirety of the street frontage along Newhope Street, save for driveway and pedestrian access points, would be landscaped. Landscape planters would be provided to help ensure adequate buffering of any potential noise and light/glare impacts. A total of approximately 1,228 square feet of landscaping would be provided on-site.

The City's Community Development Department has reviewed the proposed project, and all appropriate conditions of approval have been incorporated to ensure the attractiveness of the on-site landscaping and other amenities.

Lot Line Adjustment:

1. The parcels, as the result of the Lot Line Adjustment, will conform to local zoning and building ordinances.

The subject properties have a General Plan Land Use Designation of I (Industrial). According to the General Plan, the I land use is intended to encourage general industrial uses, such as warehousing and distribution or business parks, and more intensive industrial uses, such as manufacturing, fabrication, assembly, processing, trucking, warehousing and distribution, and servicing. The approval of the proposed Lot Line Adjustment would facilitate the development of a new 8,758 square-foot industrial building.

The subject properties are zoned M-1 (Limited Industrial). The M-1 zone is intended to provide for small- and medium-size industrial uses that are generally compatible with one another and are not generally adverse to adjacent residential and commercial uses, provided proper screening measures are utilized.

Currently, the subject property at 13781 Newhope Street (APN: 100-141-02) has an abandoned well site (APN: 100-141-03) within the property line

boundaries. Both parcels are owned by the same, subject property owner. As a result of the Lot Line Adjustment, the consolidated property would ultimately total 12,220 net square feet. While this would not meet the minimum 15,000 square-foot minimum lot size required in the M-1 zone, the Municipal Code (GGMC) considers properties established before November 12, 1960 to comply with the minimum lot size currently applicable by the subject zone. The current lot configuration has been established since at least the City's incorporation in 1956.

The requested Lot Line Adjustment complies with the City's General Plan, Zoning Ordinance, Subdivision Ordinance, and State Subdivision Map Act.

INCORPORATION OF FACTS AND REASONS 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. The Lot Line Adjustment No. LLA-035-2025 and Site Plan No. SP-154-2025 possess characteristics that would indicate justification of the requests in accordance with Municipal Code Sections 9.32.030 and 9.40.190.

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 Lot Line Adjustment No. LLA-035-2025 and Site Plan No. SP-154-2025.

EXHIBIT "A"

Lot Line Adjustment No. LLA-035-2025 &
Site Plan No. SP-154-2025

13781 Newhope 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 thirty (30) days of the approval.

2. All Conditions of Approval set forth herein shall be binding on and enforceable against each of the following, and whenever used herein, the term "applicant" shall mean and refer to each of the following: the project applicant, Bill Chow, the developer of the project, the current owner of the Property, Loc Tran, 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. Except for minor modifications authorized to be approved by the Community Development Director pursuant to Condition No. 4, any changes of the Conditions of Approval require approval by the appropriate City hearing body.

3. Lot Line Adjustment No. LLA-035-2025 and Site Plan No. SP-154-2025 authorize the consolidation of two (2) separate parcels into a single 0.28-acre lot, the development of a 5,658 square-foot warehouse with a 3,100 square-foot parking garage on the 0.28-acre parcel, and associated site improvements, as depicted on the plans submitted by the applicant and made a part of the record of the April 3, 2025, Planning Commission proceedings, subject to these Conditions of Approval. Approval of this Lot Line Adjustment and Site Plan shall not be construed to mean any waiver of applicable and appropriate zoning and other regulations, and wherein not otherwise specified, all requirements of the City of Garden Grove Municipal Code shall apply.

4. The approved site plan, lot line adjustment application, and floor plan are an integral part of the decision approving this Lot Line Adjustment and Site Plan. Minor modifications to the approved Lot Line Adjustment, Site Plan, and/or these Conditions of Approval may be approved by the Community Development Director, in his or her discretion. Proposed modifications to the approved project and/or these Conditions of Approval that would result in the intensification of the project, or create impacts that have not been previously

addressed and which are determined by the Community Development Department Director not to be minor in nature shall be subject to approval of new and/or amended land use entitlements by the applicable City hearing body.

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

Engineering Division

6. A geotechnical study prepared by a registered geotechnical engineer is required and must be submitted to the City, and approved by the City Engineer prior to the issuance of any grading or building permits. The report shall analyze the liquefaction potential of the site and make recommendations. The report shall analyze sub-surface issues related to the past uses of the site, including sub-surface tanks and basement and septic facilities. Any soil or groundwater contamination shall be remediated prior to the issuance of a building permit per the requirements of the Orange County Health Department and the mitigation requirements of governing regulatory requirements. The report shall make recommendations for foundations and pavement structural section design of interior streets and parking spaces. The report shall also test and analyze soil conditions for LID (Low Impact Development) principles and the implementation of water quality for storm water runoff, including potential infiltration alternatives, soil compaction, saturation, permeability and groundwater levels. The applicant shall implement the recommendations identified in the geotechnical study / report.

7. Prior to the issuance of any grading or building permits, the applicant shall submit to the City for review and approval a final design Water Quality Management Plan (WQMP) that:

    a. Addresses required mitigation Site Design Best Management Practices (BMPs) based upon the latest Santa Ana Regional Water Quality Control Board (SARWQCB) Drainage Area Management Plan (DAMP) as identified in the geotechnical report recommendations and findings, including, but not limited to, infiltration minimizing impervious areas, maximizing permeability, minimizing directly connected impervious areas, creating reduced or "zero discharge" areas, and conserving natural areas as required by the latest adopted County of Orange Technical Guidance Document (TGD).

    b. BMP's shall be sized per the requirements of the latest Technical Guidance Documents.

c. Incorporates the applicable Routine Source Control BMPs as defined in the DAMP.

d. Incorporates structural and Treatment Control BMPs as defined in the DAMP.

e. Generally describes the long-term operation and maintenance requirements for the Treatment Control BMPs.

f. Identifies the entity that will be responsible for long-term operation and maintenance of the Treatment Control BMPs.

g. Describes the mechanism for funding the long-term operation and maintenance of the Treatment Control BMPs.

h. Provides a hydrological analysis with scaled map, as well as hydrologic and hydraulic calculations to size storm drains per the Orange County RDMD standards.

8. Parkway culverts shall be designed per City of Garden Grove Standard Plan B-209. Storm drain lateral pipe connections to city maintained storm drains within City right-of-way shall be RCP with a minimum diameter of eighteen inches (1'-6").

9. Grading and Street improvement plans prepared by a registered Civil Engineer are required. As required under Section 107 of the California Building Code (CBC), the grading plan shall be based on a current survey of the site, including a boundary survey, topography on adjacent properties up to thirty feet (30'-0") outside the boundary, and designed to preclude cross-lot drainage. Minimum grades shall be 0.50% for concrete flow lines, and 1.25% for asphalt. The grading plan shall also include water and sewer improvements. The grading plan shall include a coordinated utility plan showing all existing utility facilities, easements and proposed utility facilities. All onsite improvements shall be tied by horizontal dimensional control to the property boundary as established by survey. A minimum uninterrupted twenty-foot (20'-0") wide throat access to the site is required from the street for the commercial projects and shall meet the requirements of the California Fire Code throughout the site. Vehicle maneuvering, as demonstrated by Auto Turn along private streets and access ways, shall be demonstrated on the grading plan. Street improvement plans shall conform to all format and design requirements of the City Standard Drawings & Specifications. The approved Site Plan shall be included as part of the grading improvements plan package, and the grading improvement plan

shall be consistent with layouts, drawings and details depicted in the approved Site Plan.

10. All vehicular access drives to the site shall be provided in locations approved by the City Traffic Engineer per Policies and Procedures – TE-17.

11. The applicant shall coordinate with the Planning Services Division, and Orange County Fire Authority to identify proper emergency vehicle access to the site, and shall provide the Engineering Division a copy of the approval letters upon first submittal of the grading and street improvement plans.

12. Any new drive approaches to the site shall be constructed in accordance with Garden Grove Standard B-120, as they conform to land use and roadway designation.

13. The grading plan shall depict an accessibility route from the exterior of all buildings and structures to the public street for the ADA pathway in conformance with the requirements of the Department of Justice standards, latest edition, and the California Building Code.

14. All trash container areas shall meet the following requirements per City of Garden Grove Standard B-502 and State mandated commercial organic recycling laws, including AB 1826, SB 1383 and its implementing regulations, and any other applicable State recycling laws related to refuse, recyclables, and/or organics, shall be subject to the following, as applicable:

    a. Paved with an impervious surface, designed not to allow run-on mixing of drainage from adjoining areas, designed to divert drainage from adjoining roofs and pavements to be directed around the area for trash roll out, and screened or walled to prevent off-site transport of trash by water or wind.

    b. Provide solid roof or awning to prevent direct precipitation into the enclosure.

    c. Connection of trash area drains to the municipal storm drain system is prohibited. Drainage from the enclosure may be directed to a conforming grease or contaminant interceptor.

    d. Potential conflicts with fire code access requirements and garbage pickup routing for access activities shall be considered in implementation of design and source control. See CASQA Storm Water

Handbook Section 3.2.9 and BMP Fact Sheet SD-32 for additional information.

e. The trash enclosure and containers shall be located to allow pick-up and maneuvering, including turnarounds, in the area of enclosures, and concrete aprons for roll-out areas.

f. Pursuant to state mandated commercial organic recycling law, including AB 1826 and SB 1383 and its implementing regulations, the applicant is required to coordinate storage and removal of the organics waste with the local recycling/trash company.

g. Pursuant to applicable State-mandated laws, the applicant is required to contact and coordinate with the operations manager of the local recycling/trash company (Republic Services) to ensure the trash enclosure includes the appropriate size, and number of containers for the disposal of items such as, but may not limited to, municipal solid waste (MSW), recyclables, and organic green waste.

h. Based on the amount of waste disposed, per week, the applicant shall coordinate with the local recycling/trash company to ensure the adequate frequency of trash pick-up is serviced to the site for municipal solid waste (MSW), recyclables, and organic green waste, including any other type of waste.

i. The applicant shall ensure large bulk items, intended for coordinated and scheduled pick-up by the local recycling/trash company (Republic Services), are not placed in areas that encroach into drive aisles, parking spaces, pedestrian pathways, or areas in the front of the property including areas public right-of-way (e.g., street, sidewalk), during and after construction. Any large bulk items shall be out of public vantage points.

j. The requirements for the trash enclosure and design criteria are bound and coordinated with the Water Quality Management Plan (WQMP), when required, as depicted on the project grading plan, which shall be incorporated into the WQMP by narrative description, exhibits and an Operation and Maintenance Plan (O&M).

15. Any new or required block walls and/or retaining walls shall be shown on the grading plans, both in plan-view and cross sections. Cross sections shall show vertical and horizontal relations of improvements (existing and proposed) on both sides of property lines. Required wall heights shall be measured vertically

from the highest adjacent finished grade. Block walls shall be designed in accordance to City of Garden Grove Standard B-504, B-505, B-506, and B-508, or designed by a professional registered engineer. In addition, the following shall apply:

a. The color and material of all proposed block walls, columns, and wrought iron fencing shall be approved by the Planning Services Division prior to installation.

b. Openings for drainage through walls shall be shown in section details, and approved by the City Engineer. Cross-lot drainage is not allowed.

16. For Lot Line Adjustment (LLA) projects, the applicant shall complete the following:

a. Prior to issuance of a grading permit, the applicant shall submit to the Planning Services Division an updated title report along with copies of the recorded instruments listed in the title report, reference maps used to prepare legal description and the plat per County of Orange Lot Line Adjustment Manual.

b. Preparation, formatting and packaging of the Lot Line Adjustment application and exhibits must follow the requirements of the County of Orange Lot Line Adjustment Manual, and shall be reviewed and approved by the City Engineer.

c. The order of recording documentation of the LLA application with the County of Orange Recorder's Office shall be as prescribed by the City Engineer. The instrument numbers assigned by the County Recorder for the LLA shall be written into the new property description of the succeeding Grant Deed or Quit Claim conveyances as prescribed by the City Engineer.

d. If a lender or beneficiary is involved in the property, whether noted in the Title Report or not indicated in the Title Report, a Modification of Deed of Trust must be prepared for each lender or beneficiary involved. The Modification of Deed of Trust must be signed by a person authorized to represent the beneficiary and notarized. Exhibits for the Modification of Deed of Trust shall be the exhibits as prepared for the Lot Line Adjustment prior to recordation. A blank line must be left in the acknowledgement description to write in the LLA instrument number as recorded by the County Clerk.

17. The applicant shall remove any existing substandard driveway approaches, curbs, sidewalks, ADA ramps, pavement sections, tree well and landscaping, and construct Newport Street frontage improvements as identified below. All landscape, irrigation, sidewalk, signal modifications and lighting improvements installed within the public rights-of-way shall require the approval of the City Engineer, Street Division, and the Planning Services Division, and shall be maintained by the applicant for the life of the project.

    a. A separate street improvement plan shall be prepared and submitted to the Engineering Division for the proposed improvements within the public rights-of-way along Newhope Street, which shall include any proposed landscaping, and irrigation plans. All work shall be per City standards and specifications.

    b. The applicant shall remove the existing driveway approach to the site and construct new driveway approach per approved site plan, under Site Plan No. SP-154-2025 on Newhope Street per City Standard B-120.

    c. The applicant shall construct a new commercial sidewalk and curb/gutter replacing the existing driveway per city standard B-106 and B-113.

    d. The applicant is expressly prohibited from installing a vehicle access gate behind the sidewalk on Newhope Street.

    e. The applicant shall cold mill (grind) existing asphalt pavement to a three-inch (0'-3") uniform depth, and replace with three inches (0'-3") of fiber-reinforced asphalt surface course from the edge of the southerly gutter to the edge of northerly gutter on Newhope Street, along the property frontage per City specifications, and the direction of the City Engineer.

    f. Any further deviation from the approved site access points shall be approved by the City Traffic Engineer.

    g. The applicant shall locate all existing public utilities across the property frontage, and within the property boundary of the project prior to commencement of grading operation and mobilization.

    h. The applicant shall widen the existing tree well fronting the project on Newhope Street to six feet (6'-0") long by three feet (3'-0") wide, and plant a Gold Medallion Tree/Cassia Leptophylla (24-inch box).

i. The applicant shall coordinate with the Planning Services Division and Public Works Street Division before placing any type of tree within public right-of-way and proposed landscape area.

j. Street signs shall be installed as required, and approved by the City Traffic Engineer.

18. The applicant shall ensure adequate radius is provided for appropriate vehicles (fire trucks, buses, trash trucks, etc.) to navigate the project access in accordance with City's Traffic Policy & Procedures TE-14.

19. The parking lot shall provide adequate drive aisle and lane widths per City of Garden Grove Standard B-311.

20. The parking lot shall provide appropriate and adequate wayfinding and signage for drivers to easily navigate the entrance and exit.

21. The parking lot layout shall be in accordance with City Standard B-311.

22. The turning template shall be in accordance with City's Traffic Policy & Procedures TE-14.

23. Driveway Opening Policy shall be in accordance with City's Traffic Policy & Procedures TE-8.

24. Sight Distance Standards shall be in accordance with City's Traffic Policy & Procedures TE-13.

25. Private Property Tow Away Sign Design shall be in accordance with City's Traffic Policy & Procedures TE-19.

26. No Parking Fire Lane Sign Design shall be in accordance with City's Traffic Policy & Procedures TE-20.

27. A separate street permit is required for work performed within the public right-of-way.

28. The applicant shall identify a temporary parking site(s) for the construction crew, and any construction office trailer staff prior to the issuance of a grading permit. No construction parking is allowed on local streets and/or nearby shopping centers. Construction vehicles should be parked off traveled roadways in a designated parking area. Parking areas, whether on-site or off-

site, shall be included and covered by the erosion control plans and the Storm Water Pollution Prevention Plan (SWPPP).

a. Prior to issuance of a grading permit, the applicant shall submit and obtain approval of a worksite traffic control plan for all the proposed improvements within the public right-of-way, and shall be subject to the review and approval of the City Traffic Engineer.

b. The applicant shall coordinate with City's Public Works Department (Engineering, Traffic, Water Services, and Streets Division) to set appointments for preconstruction inspections for all of the on-site and off-site improvements prior to commencement of grading operation and mobilization.

29. In accordance with the Orange County Storm Water Program manual, the applicant and/or its contractors shall provide dumpsters onsite during construction unless an Encroachment Permit is obtained for placement in street.

30. The applicant and their contractor shall be responsible for protecting all existing horizontal and vertical survey controls, monuments, ties (centerline and corner), and benchmarks located within the limits of the project. If any of the above require removal, relocation, or resetting, the Contractor shall, prior to any construction work, and under the supervision of a California-licensed Land Surveyor, establish sufficient temporary ties and benchmarks to enable the points to be reset after completion of construction. Any ties, monuments and bench marks disturbed during construction shall be reset per Orange County Surveyor Standards after construction. Applicant and their contractor shall also reset the tie monuments where curb or curb ramps are removed and replaced, or new ramps are installed. The applicant and their contractor shall be liable for, at their expense, any resurvey required due to their negligence in protecting existing ties, monuments, benchmarks, or any such horizontal and vertical controls. Temporary benchmarks shall not be used for vertical control. Benchmarks shall be to the National Geodetic Vertical Datum (NGVD).

31. Heavy construction truck traffic and hauling trips, and any required lane closures, shall occur outside of peak travel periods. Peak travel periods are considered to be from 7:00 a.m. to 9:00 a.m., and 4:00 p.m. to 6:00 p.m.

32. Prior to grading or building permit closeout, and/or the issuance of a certificate of use, or a certificate of occupancy, the applicant shall:

a. Demonstrate that all structural best management practices (BMPs) described in the Project WQMP have been constructed, and installed in conformance with approved plans and specifications.

b. Demonstrate that the applicant is prepared to implement, and maintain all non-structural BMPs described in the Project WQMP.

c. Demonstrate that an adequate number of copies of the approved Project WQMP are available on-site.

d. Submit for review and approval by the City an Operations and Maintenance (O&M) Plan for all structural BMPs.

e. Execute and record against the subject property a covenant and agreement or similar document, in a form approved by the City Attorney, regarding funding and maintenance of the O&M Plan, consent to inspections, and indemnification. This covenant and agreement shall be executed by the then current owner(s) of the subject property and shall be recorded against the property and run with the land. The provisions of the covenant and agreement shall include, without limitation, the following:

    i. The covenant and agreement shall require the property owner(s) and each successive owner of an interest in all or any part of the property to, throughout the period of their respective ownership, implement, and fund implementation of, the O&M Plan and to operate, inspect, maintain, repair, and replace the BMPs described in the O&M Plan.

    ii. The covenant and agreement shall require the property owners to use and maintain the property in full compliance with the provisions of the O&M Plan and Chapter 6.40 of the Garden Grove Municipal Code (Stormwater Quality), as it may be amended from time to time, and shall provide for the owners' consent to inspection of the property by an inspector authorized by the City Manager, or his or her designee, for the purpose for verifying compliance with the provisions of the covenant and agreement.

    iii. The covenant and agreement shall require the owners to indemnify, defend, and hold harmless the City, its elected officers, employees, agents, and contractors from and against any and all liability, expense, including costs and legal fees, and claims of damage of any nature whatsoever including, but not

limited to, death, bodily injury, personal injury, or property damage arising from or connected with the City inspection of the Property except where such liability, expense, or claim for damage results from the sole negligence or willful misconduct of the City its elected officers, employees, agents, or contractors.

iv. The covenant and agreement shall provide that the City may, but shall not be obligated to, enforce the covenant and agreement by a proceeding at law or in equity against any person or persons violating or attempting to violate any condition, covenant, equitable servitude, or restriction provided for therein, either to restrain such violation or to recover damages.

f. Identify responsible contractor, and individuals for maintaining the new landscape and irrigation improvements for a period of three (3) years following the acceptance of the improvements by the City. The individual name and contact information shall be provided on both grading and street improvement plans.

Orange County Fire Authority

33. The applicant shall comply with all applicable Orange County Fire Authority requirements, including, but not limited to the Fire Master Plan.

Building and Safety Division

34. All proposed work shall comply with the latest California Building Standards Code (CBC) at the time of building permit application.

35. A soils report complying with CBC Chapter 18 shall be submitted at the time of building permit application.

36. The proposed building shall comply with CBC Chapter 7 for the purposes of fire-rated construction.

37. The proposed buildings shall comply with all accessibility requirements of CBC Chapter 11B.

Water Services Division

38. New water service installations two inches (0'-2") and smaller, may be installed by the City of Garden Grove at owner's/developer's expense. Installation shall be scheduled upon payment of applicable fees, unless otherwise noted. Fire

services and larger water services three inches (0'-3") and larger, shall be installed by developer/owner's contractor per City Standards.

39. Water meters shall be located within the City right-of-way. Fire services and large water services three inches (0'-3") and larger shall be installed by contractor with a Class A or C-34 license, per City water standards, and inspected by an approved Public Works inspection.

40. There is a four-inch (0'-4") water meter vault to the south of the property that serves Woodbury Elementary School. Protect in place meter vault and piping running parallel with the southerly property line of the project lot.

41. A Reduced Pressure Principle Device (RPPD) backflow prevention device shall be installed for meter protection. The landscape system shall also have RPPD device. Any carbonation dispensing equipment shall have a RPPD device. Installation shall be per City standards, and shall be tested by a certified backflow device tester immediately after installation. The cross-connection inspector shall be notified for inspection after the installation is completed. The owner shall have the RPPD device tested once a year thereafter by a certified backflow device tester, and the test results submitted to the Public Works Department, Water Services Division. The property owner must open a water account upon installation of a RPPD device.

42. It shall be the responsibility of the owner/developer to abandon any existing private water well(s) per Orange County Health Department requirements. Abandonment(s) shall be inspected by an Orange County Health Department inspector after permits have been obtained.

43. A composite utility site plan shall be submitted as part of the building permit plan set, and shall be approved by the Water Services Division.

44. New utilities shall have a minimum five-foot (5'-0") horizontal and a minimum one-foot (1'-0") vertical clearance from the water main and any appurtenances.

45. Any fire service and any private fire hydrant lateral shall have an above-ground backflow device with a double-check valve assembly. The device shall be tested immediately after installation and once a year thereafter by a certified backflow device tester, and the results to be submitted to the Public Works Department, Water Services Division. The device shall be on private property, and is the responsibility of the property owner. The above-ground assembly shall be screened from public view as required by the Planning Services Division.

46. Should a fire service be proposed, the service may be required to tie-in to the twelve-inch (1'-0") water main in Newhope Street. It is the project engineer's responsibility to design an appropriate fire service connection based on fire flow test information, and Orange County Fire Authority requirements. Fire demand load is to be provided to Water Services for verification of capacity.

47. The location and number of fire hydrants shall be as required by the Water Services Division and the Orange County Fire Authority (OCFA).

48. The owner shall install a new sewer lateral with clean out at the right-of-way line. Laterals in the public right-of-way shall be a minimum six-inch (0'-6") diameter, extra strength VCP with wedgelock joints.

49. The contractor shall abandon any existing unused sewer lateral(s) at the street right-of-way on the property owner's side. The sewer pipe shall be capped with an expansion sewer plug, and encased in concrete. Only one sewer connection per lot is allowed.

50. All perpendicular crossings of the sewer, including laterals, shall maintain a minimum vertical separation of twelve inches (1'-0") below the water main, outer diameter to outer diameter. All exceptions to the above require a variance from the State Water Resources Control Board. A pothole test will be required as part of the sewer design to confirm all separations.

51. If a water main is exposed during installation of a sewer lateral, a twenty-foot (20'-0") section of the water main shall be replaced with twenty feet (20'-0") of PVC C-900 DR-14 Class 305 water pipe, size in kind, and centered at the crossing.

Planning Services Division

52. The parking garage shall be used solely for the parking of vehicles. Storage of materials, or other goods associated with the warehouse shall be prohibited.

53. It shall be the applicant's responsibility to verify that any building or site improvements do not impermissibly interfere with any recorded (or non-recorded) easements or required utility clearances on the subject property or the adjacent properties.

54. In the event the development cannot accommodate the parking demand, due to impacts generated by the development, at any given time, which causes a nuisance, hindrance, and/or problem with either on-site and off-site parking and circulation, as determined by the City's Community Development Director

in his/her reasonable discretion, the applicant shall devise and implement a plan approved by the City to relieve the situation. Upon written request by the City, the applicant shall submit a plan to manage parking issues for review and approval by the Community Development Department. The plan may include, but is not be limited to: reducing the hours of operation, instituting an off-site parking arrangement; having on-site parking control personnel; and/or others actions that may be deemed applicable to the situation. If the City's Community Development Director deems such action is necessary to address parking and circulation problems, such action shall be implemented within 30 days of written notice. Failure to take appropriate action shall be deemed a violation of these Conditions of Approval and may result in the City restricting the overall use of the facility.

55. A prominent, permanent sign, stating "NO LOITERING IS ALLOWED ON OR IN FRONT OF THE PREMISES," shall be posted in a place that is clearly visible to patrons of the applicant. The sign lettering shall be four (0'-4") to six inches (0'-6") tall, with black letters on a white background. The sign shall be displayed near or at the entrance, and shall also be visible to the public.

56. Litter shall be removed daily from the premises, including adjacent public sidewalks, and from all parking areas under the control of the applicant. These areas shall be swept or cleaned, either mechanically or manually, on a weekly basis, to control debris.

57. The applicant/property owner shall abate all graffiti vandalism within the premises. The applicant/property owner shall implement best management practices to prevent and abate graffiti vandalism within the premises throughout the life of the project, including, but not limited to, timely removal of all graffiti, the use of graffiti resistant coatings and surfaces, the installation of vegetation screening of frequent graffiti sites, and the installation of signage, lighting, and/or security cameras, as necessary. Graffiti shall be removed/eliminated by the applicant/property owner as soon as reasonably possible after it is discovered, but not later than 72 hours after discovery.

58. The applicant is advised that the establishment is subject to the provisions of State Labor Code Section 6404.5 (ref: State Law AB 13), which prohibits smoking inside the establishment as of January 1, 1995.

59. Permits from the City of Garden Grove shall be obtained prior to displaying any temporary advertising (i.e., banners).

60. Signs shall comply with the City of Garden Grove sign requirements. No more than 15% of the total window area and clear doors shall bear advertising or

signs of any sort. No signs advertising alcoholic beverages shall be placed on the windows. Any opaque material applied to the store front, such as window tint, shall count toward the maximum window coverage area.

61. Exterior advertisements displays or exterior wall advertisements shall not be allowed.

62. Any modifications to existing signs or the installation of new signs shall require approval by the Community Development Department, Planning Services Division prior to issuance of a building permit.

63. Hours and days of construction and grading shall be as follows as set forth in the City of Garden Grove's Municipal Code Chapter 8.47 as adopted, except that:

    a. Monday through Saturday - not before 7:00 a.m. and not after 8:00 p.m. (of the same day).

    b. Sunday and Federal Holidays may work same hours, but subject to noise restrictions as stipulated in Chapter 8.47 of the Municipal Code.

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, the project shall use solar or low-emission water heaters, and low-sodium parking lot lights, to ensure compliance with Title 24.

65. No exterior piping, plumbing, roof top access ladders, or mechanical ductwork shall be permitted on any exterior facade and/or be visible from any public right-of-way or adjoining property.

66. Any and all correction notice(s) generated through the plan check and/or inspection process is/are hereby incorporated by reference as conditions of approval and shall be fully complied with by the owner, applicant, and all agents thereof.

67. No roof-mounted mechanical equipment shall be permitted unless a method of screening complementary to the architecture of the building is approved by the Community Development Department, Planning Services Division. Said screening shall block visibility of any roof-mounted mechanical equipment from view of public streets and surrounding properties.

68. Building color and material samples shall be submitted to the Planning Services Division for review and approval prior to issuance of building permits.

69. All lighting structures shall be placed so as to confine direct rays to the subject property. All exterior lights shall be reviewed and approved by the Planning Division. Lighting adjacent to residential properties shall be restricted to low decorative type wall-mounted lights, or a ground lighting system. Lighting shall be provided throughout all private drive aisles and entrances to the development per City standards for street lighting.

70. The site improvements and subsequent operation of the site/business(es) shall adhere to the following:

    a. There shall be no business activities, or storage permitted outside of the building. All business-related equipment and material shall be kept inside the building, except for loading or unloading purposes.

    b. Property owners, employees, and business operators shall not permanently store vehicles anywhere on the site.

    c. All drive aisles on the site are considered to be fire lanes, and shall remain clear and free of any materials, and/or vehicles.

    d. The property owner shall comply with the adopted City Noise Ordinance.

71. All landscaping shall be consistent with the landscape requirements of the Landscape Water Efficiency Guidelines (Appendix A), per Title 9 of the Municipal Code. The applicant shall submit a separate and complete Water Efficient Landscape Plan. The water efficient landscape submittal shall include landscape plans, irrigation plans, soils report, grading plans, and all other applicable documentation. The landscape plans shall include type, size, location, and quantity of all plant material. The landscape plans are also subject to the following:

    a. A complete, permanent, automatic remote control irrigation system shall be provided for all landscaping areas shown on the plans. The sprinklers shall be of low flow/precipitation sprinkler heads for water conservation.

    b. The plans 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. All proposed trees shall be non-fruit bearing, evergreen trees that require minimal maintenance. Where clinging vines are considered for covering walls, drought tolerant vines shall be used.

c. Landscape treatments and irrigation shall be installed within the front, side, and rear setback areas of the property. The landscaping shall incorporate a mixture of ground cover, flowerbeds, shrubs, and trees. The Community Development Department shall review the type and location of all proposed trees.

d. Clinging vines, low shrubs, and/or other landscaping treatments shall be planted along the base of the exterior face of any proposed or existing street-facing perimeter block walls, and/or trash enclosure walls, to deter graffiti.

e. The applicant shall be responsible for all installation, and permanent maintenance of all landscaping on the property. Said responsibility shall extend to the parkway landscaping, sidewalk, curb, and pavement of the site. All planting areas are to be kept free of weeds, debris, and graffiti.

f. All above-ground utilities (e.g., water backflow devices, electrical transformers, irrigation equipment, etc.) shall be shown on the landscaping plans in order to ensure proper screening.

g. The landscape plans shall incorporate and maintain, for the life of the project, means and methods to address water run-off, including Low Impact Development (LID) provisions which address water run-off. This includes, without limitation, all applicable requirements of the Water Quality Management Plan (WQMP), Drainage Area Management Plan (DAMP), or Local Implementation Plan (LIP), and any other water conservation measures applicable to this type of development required by applicable ordinance or regulation.

72. All on-site curbs, not associated with a parking space, shall be painted red.

73. During construction, if paleontological or archaeological resources are found, all attempts will be made to preserve in-place, or leave in an undisturbed state. In the event that fossil specimens or cultural resources are encountered on the site during construction, and cannot be preserved in-place, the applicant shall contact and retain, at the applicant's expense, a qualified paleontologist or archaeologist, as applicable, acceptable to the City, to evaluate and determine

appropriate treatment for the specimen or resource, and work in the vicinity of the discovery shall halt until appropriate assessment and treatment of the specimen or resource is determined by the paleontologist or archeologist (work can continue elsewhere on the project site). Any mitigation, monitoring, collection, and specimen/resource treatment measures recommended by the paleontologist/archaeologist shall be implemented by the applicant at their own cost.

74. The applicant shall comply with the Migratory Bird Treaty Act (MBTA), and Sections 3503, 3503.5, and 3513 of the California Fish and Game Code, which require the protection of active nests of all bird species, prior to the removal of any on-site landscaping, including the removal of existing trees.

75. A copy of the resolution, including the conditions approving Lot Line Adjustment No. LLA-035-2025 and Site Plan No. SP-154-2025 shall be kept on the premises at all times.

76. The applicant/property owner shall submit signed letters acknowledging receipt of the decision approving Lot Line Adjustment No. LLA-035-2025 and Site Plan No. SP-154-2025, and their agreement with all conditions of approval.

77. 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 Lot Line Adjustment No. LLA-035-2025 and Site Plan No. SP-154-2025. The applicant shall pay the City's defense costs, including attorney fees and all other litigation related expenses, and shall reimburse the City for court costs, which the City may be required to pay as a result of such defense. The applicant shall further pay any adverse financial award, which may issue against the City including, but not limited, to any award of attorney fees to a party challenging such project approval. The City shall retain the right to select its counsel of choice in any action referred to herein.

78. In accordance with Garden Grove Municipal Code Sections 9.32.160, the rights granted pursuant to Lot Line Adjustment No. LLA-035-2025 and Site Plan No. SP-154-2025 shall be valid for a period of two (2) years from the effective date of this approval. Unless a time extension is granted pursuant to Section 9.32.030.D.9 of the Municipal Code, the rights conferred by Lot Line Adjustment No. LLA-035-2025 and Site Plan No. SP-154-2025 shall become

null and void if the subject development and construction necessary and incidental thereto is not commenced within two (2) years of the expiration of the appeal period, and thereafter diligently advanced until completion of the project. In the event construction of the project is commenced but not diligently advanced until completion, the rights granted pursuant to Lot Line Adjustment No. LLA-035-2025 and Site Plan No. SP-154-2025 shall expire if the building permits for the project expire.

City of Garden Grove
INTER-DEPARTMENT MEMORANDUM

To:	Planning Commission	**From:**	Niki Wetzel
Dept:		**Dept:**	Community Development
Subject:	REVIEW OF CODE OF ETHICS	**Date:**	April 3, 2025

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

Accordingly, the Code of Ethics is scheduled for your formal review at the Commission meeting of April 3, 2025. There is no resolution required; rather, your action will be documented in the minutes of the meeting.

NIKI WETZEL
Community Development Director

Attachment: Municipal Code Chapter 2.02

Chapter 2.02 CODE OF ETHICS FOR PUBLIC OFFICERS AND EMPLOYEES

2.02.005 Code Review

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

2.02.010 Declaration of Policy

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

2.02.020 Responsibilities of Public Office

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

2.02.030 Dedicated Service

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

2.02.040 Fair and Equal Treatment

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

2.02.050 Use of Public Property

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

2.02.060 Obligations to Citizens

A. CONFLICT WITH PROPER DISCHARGE OF DUTIES. No public official or employee, while serving as such, shall have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity, or incur any obligation of any nature that is in substantial conflict with the proper discharge of his or her duties in the public interest and of his or her responsibilities as prescribed by law.

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

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

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

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

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

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

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

2.02.070 Disclosure of Interest and Disqualification

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

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

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

2.02.080 Compliance with State Law

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

2.02.090 Violations—Actions

The violation of any provision of this chapter shall be:

A. As to all City employees, grounds for dismissal from City employment;

B. As to any appointed position on any board, commission, or committee, grounds for removal from any such board, commission, or committee;

C. As to any prosecution of any elected public official, the City Council shall make findings of fact by at least a vote of three City Councilmembers that an elected public official has, in fact, violated this chapter as a prerequisite to prosecution. (1301 § 1, 1972; 2813 § 1, 2012)

2.02.100 State Laws—Control

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

2.02.110 Violations—Penalty

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

Contact:

City Clerk: 714-741-5040

ITEM E.2.

BROWN ACT

Open & Public VI

A GUIDE TO THE RALPH M. BROWN ACT

REVISED JANUARY 2024

LEAGUE OF CALIFORNIA CITIES

Photo credit: Courtesy of the City of West Hollywood. Photo by Jon Viscott.

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Open & Public VI

A GUIDE TO THE RALPH M. BROWN ACT

REVISED JANUARY 2024

TABLE OF CONTENTS

Chapter 1

IT IS THE PEOPLE'S BUSINESS

Chapter 1

IT IS THE PEOPLE'S BUSINESS

The right of access

Two key parts of the Brown Act have not changed since its adoption in 1953. One is the act's initial section, declaring the Legislature's intent:

"In enacting this chapter, the Legislature finds and declares that the public commissions, boards and councils and the other public agencies in this State exist to aid in the conduct of the people's business. It is the intent of the law that their actions be taken openly and that their deliberations be conducted openly.

"The people of this State do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created."[1]

The people reconfirmed that intent 50 years later in the November 2004 election by adopting Proposition 59, amending the California Constitution to include a public right of access to government information:

> *"The people have the right of access to information concerning the conduct of the people's business, and, therefore, the meetings of public bodies and the writings of public officials and agencies shall be open to public scrutiny."*[2]

PRACTICE TIP: The key to the Brown Act is a single sentence. In summary, all meetings shall be **open and public** except when the Brown Act authorizes otherwise.

The Brown Act's other unchanged provision is a single sentence:

> *"All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided in this chapter."*[3]

That one sentence is by far the most important of the entire Brown Act. If the opening is the soul, that sentence is the heart of the Brown Act.

Broad coverage

The Brown Act covers members of virtually every type of local government body, elected or appointed, decision-making or advisory. Some types of private organizations are covered, as are newly elected members of a legislative body, even before they take office.

Similarly, meetings subject to the Brown Act are not limited to face-to-face gatherings. They also include any communication medium or device through which a majority of a legislative body discusses, deliberates, or takes action on an item of business outside of a noticed meeting. They include meetings held from remote locations by teleconference or videoconference.

New communication technologies present new Brown Act challenges. For example, common email practices of forwarding or replying to messages can easily lead to a serial meeting prohibited by the Brown Act, as can participation by members of a legislative body in an internet chatroom or blog dialogue. Social Media posts, comments, and "likes" can result in a Brown Act violation. Communicating during meetings using electronic technology (such as laptop computers, tablets, or smart phones) may create the perception that private communications are influencing the outcome of decisions, and some state legislatures have banned the practice. On the other hand, widespread video streaming and videoconferencing of meetings has greatly expanded public access to the decision-making process.

Narrow exemptions

The express purpose of the Brown Act is to ensure that local government agencies conduct the public's business openly and publicly. Courts and the California Attorney General usually broadly construe the Brown Act in favor of greater public access and narrowly construe exemptions to its general rules.[4]

Generally, public officials should think of themselves as living in glass houses, and that they may only draw the curtains when it is in the public interest to preserve confidentiality. Closed sessions may be held only as specifically authorized by the provisions of the Brown Act itself.

The Brown Act, however, is limited to meetings among a majority of the members of multimember government bodies when the subject relates to local agency business. It does not apply to independent conduct of individual decision-makers. It does not apply to social, ceremonial, educational, and other gatherings as long as a majority of the members of a body do not discuss issues related to their local agency's business. Meetings of temporary advisory committees — as distinguished from standing committees — made up solely of less than a quorum of a legislative body are not subject to the Brown Act.

The law does not apply to local agency staff or employees, but they may facilitate a violation by acting as a conduit for discussion, deliberation, or action by the legislative body. [5]

The law, on the one hand, recognizes the need of individual local officials to meet and discuss matters with their constituents and staff. On the other hand, it requires — with certain specific exceptions to protect the community and preserve individual rights — that the decision-making process be public. Sometimes the boundary between the two is not easy to draw.

PRACTICE TIP: Think of the government's house as being made of glass. The curtains may be drawn only to further the public's interest. A local policy on the use of laptop computers, tablets, and smart phones during Brown Act meetings may help avoid problems.

Public participation in meetings

In addition to requiring the public's business to be conducted in open, noticed meetings, the Brown Act also extends to the public the right to participate in meetings. Individuals, lobbyists, and members of the news media possess the right to attend, record, broadcast, and participate in public meetings. The public's participation is further enhanced by the Brown Act's requirement that a meaningful agenda be posted in advance of meetings, by limiting discussion and action to matters listed on the agenda, and by requiring that meeting materials be made available.

Legislative bodies may, however, adopt reasonable regulations on public testimony and the conduct of public meetings, including measures to address disruptive conduct and limits on the time allotted to each speaker. For more information, see chapter 4.

Controversy

Not surprisingly, the Brown Act has been a source of confusion and controversy since its inception. News media and government watchdogs often argue the law is toothless, pointing out that there has never been a single criminal conviction for a violation. They often suspect that closed sessions are being misused.

Some public officials complain that the Brown Act makes it difficult to respond to constituents and requires public discussions of items better discussed privately, such as why a particular person should not be appointed to a board or commission. Many elected officials find the Brown Act inconsistent with their private business experiences. Closed meetings can be more efficient; they eliminate grandstanding and promote candor. The techniques that serve well in business — the working lunch, the sharing of information through a series of phone calls or emails, the backroom conversations and compromises — are often not possible under the Brown Act.

As a matter of public policy, California (along with many other states) has concluded that there is more to be gained than lost by conducting public business in the open. Government behind closed doors may well be efficient and businesslike, but it may be perceived as unresponsive and untrustworthy.

PRACTICE TIP: Transparency is a foundational value for ethical government practices. The Brown Act is a floor, not a ceiling, for conduct.

Beyond the law — good business practices

Violations of the Brown Act can lead to invalidation of an agency's action, payment of a challenger's attorney fees, public embarrassment, even criminal prosecution. But the Brown Act is a floor, not a ceiling, for conduct of public officials. This guide is focused not only on the Brown Act as a minimum standard, but also on meeting practices or activities that, legal or not, are likely to create controversy. Problems may crop up, for example, when agenda descriptions are too brief or vague, when an informal get-together takes on the appearance of a meeting, when an agency conducts too much of its business in closed session or discusses matters in closed session that are beyond the authorized scope, or when controversial issues arise that are not on the agenda.

The Brown Act allows a legislative body to adopt practices and requirements for greater access to meetings for itself and its subordinate committees and bodies that are more stringent than the law itself requires.[6] Rather than simply restate the basic requirements of the Brown Act, local open meeting policies should strive to anticipate and prevent problems in areas where the Brown Act does not provide full guidance. As with the adoption of any other significant policy, public comment should be solicited.

A local policy could build on these basic Brown Act goals:

- A legislative body's need to get its business done smoothly.
- The public's right to participate meaningfully in meetings, and to review documents used in decision-making at a relevant point in time.

- A local agency's right to confidentially address certain negotiations, personnel matters, claims, and litigation.
- The right of the press to fully understand and communicate public agency decision-making.

A detailed and comprehensive public meeting and information policy, especially if reviewed periodically, can be an important element in maintaining or improving public relations. Such a policy exceeds the absolute requirements of the law — but if the law were enough, this guide would be unnecessary. A narrow legalistic approach will not avoid or resolve potential controversies. An agency should consider going beyond the law and look at its unique circumstances to determine if there is a better way to prevent potential problems and promote public trust. At the very least, local agencies need to think about how their agendas are structured in order to make Brown Act compliance easier. They need to plan carefully to make sure public participation fits smoothly into the process.

PRACTICE TIP: The Brown Act should be viewed as a tool to facilitate the business of local government agencies. Local policies that go beyond the minimum requirements of law may help instill public confidence and avoid problems.

Achieving balance

The Brown Act should be neither an excuse for hiding the ball nor a mechanism for hindering efficient and orderly meetings. The Brown Act represents a balance among the interests of constituencies whose interests do not always coincide. It calls for openness in local government, yet should allow government to function responsively and productively.

There must be both adequate notice of what discussion and action are to occur during a meeting as well as a normal degree of spontaneity in the dialogue between elected officials and their constituents.

The ability of an elected official to confer with constituents or colleagues must be balanced against the important public policy prohibiting decision-making outside of public meetings.

In the end, implementation of the Brown Act must ensure full participation of the public and preserve the integrity of the decision-making process, yet not stifle government officials and impede the effective and natural operation of government.

Historical note

In late 1951, *San Francisco Chronicle* reporter Mike Harris spent six weeks looking into the way local agencies conducted meetings. State law had long required that business be done in public, but Harris discovered secret meetings or caucuses were common. He wrote a 10-part series titled "Your Secret Government" that ran in May and June 1952.

Out of the series came a decision to push for a new state open-meeting law. Harris and Richard (Bud) Carpenter, legal counsel for the League of California Cities, drafted such a bill and Assembly Member Ralph M. Brown agreed to carry it. The Legislature passed the bill, and Governor Earl Warren signed it into law in 1953.

The Ralph M. Brown Act, known as the Brown Act, has evolved under a series of amendments and court decisions, and has been the model for other open-meeting laws, such as the Bagley-Keene Act, enacted in 1967 to cover state agencies.

Assembly Member Brown is best known for the open-meeting law that carries his name. He was elected to the Assembly in 1942 and served 19 years, including the last three years as Speaker. He then became an appellate court justice.

Updates to this publication responding to changes in the Brown Act or new court interpretations are available at **https://www.calcities.org/home/resources/open-government2**. A current version of the Brown Act may be found at **https://leginfor.legislature.ca.gov**.

ENDNOTES

1 Cal. Gov. Code, § 54950.

2 Cal. Const., Art. 1, § 3, subd. (b)(1).

3 Cal. Gov. Code, § 54953, subd. (a).

4 This principle of broad construction when it furthers public access and narrow construction if a provision limits public access is also stated in the amendment to the State's Constitution adopted by Proposition 59 in 2004. California Const., Art. 1, § 3, subd. (b)(2).

5 Cal. Gov. Code, § 54952.2, subds. (b)(2) and (c)(1); Wolfe v. City of Fremont (2006) 144 Cal.App.4th 533.

6 Cal. Gov. Code, § 54953.7.

Chapter 2

LEGISLATIVE BODIES

Chapter 2

LEGISLATIVE BODIES

The Brown Act applies to the legislative bodies of local agencies. It defines "legislative body" broadly to include just about every type of decision-making body of a local agency.[1]

What is a "legislative body" of a local agency?

A "legislative body" includes the following:

- The **"governing body** of a local agency" and certain of its subsidiary bodies; "or any other local body created by state or federal statute."[2] This includes city councils, boards of supervisors, school boards, and boards of trustees of special districts. A "local agency" is any city, county, city and county, school district, municipal corporation, successor agency to a redevelopment agency, district, political subdivision, or other local public agency.[3] A housing authority is a local agency under the Brown Act even though it is created by and is an agent of the state.[4] The California Attorney General has opined that air pollution control districts and regional open space districts are also covered.[5] Entities created pursuant to joint powers agreements are also local agencies within the meaning of the Brown Act.[6]
- **Newly elected members** of a legislative body who have not yet assumed office must conform to the requirements of the Brown Act as if already in office.[7] Thus, meetings between incumbents and newly elected members of a legislative body, such as a meeting between two outgoing members and a member-elect of a five-member body, could violate the Brown Act.

PRACTICE TIP: The prudent presumption is that an advisory committee or task force is subject to the Brown Act. Even if one clearly is not, it may want to comply with the Brown Act. Public meetings may reduce the possibility of misunderstandings and controversy.

Q. On the morning following the election to a five-member legislative body of a local agency, two successful candidates, neither an incumbent, meet with an incumbent member of the legislative body for a celebratory breakfast. Does this violate the Brown Act?

A. *It might, and absolutely would if the conversation turns to agency business. Even though the candidates-elect have not officially been sworn in, the Brown Act applies. If purely a social event, there is no violation, but it would be preferable if others were invited to attend to avoid the appearance of impropriety.*

- **Appointed bodies** — whether permanent or temporary, decision-making or advisory — including planning commissions, civil service commissions, and other subsidiary committees, boards, and bodies. Volunteer groups, executive search committees, task forces, and blue ribbon committees created by formal action of the governing body are legislative bodies. When the members of two or more legislative bodies are appointed to serve on an entirely separate advisory group, the resulting body may be subject to the Brown Act. In one reported case, a city council created a committee of two members of the city council and two members of the city planning commission to review qualifications of prospective planning commissioners and make recommendations to the council. The court held that their joint mission made them a legislative body subject to the Brown Act. Had the two committees remained separate and met only to exchange information and report back to their respective boards, they would have been exempt from the Brown Act.[8]
- **Standing committees** of a legislative body, irrespective of their composition, which have either (1) a continuing subject matter jurisdiction or (2) a meeting schedule fixed by charter, ordinance, resolution, or formal action of a legislative body.[9] Even if it comprises less than a quorum of the governing body, a standing committee is subject to the Brown Act. For example, if a governing body creates committees on budget and finance or on public safety that are not limited in duration or scope, those are standing committees subject to the Brown Act. Further, according to the California Attorney General, function over form controls. For example, a statement by the legislative body that the advisory committee "shall not exercise continuing subject matter jurisdiction" or the fact that the committee does not have a fixed meeting schedule is not determinative.[10] "Formal action" by a legislative body includes authorization given to the agency's executive officer to appoint an advisory committee pursuant to agency-adopted policy.[11] A majority of the members of a legislative body may attend an open and public meeting of a standing committee of that body, provided the members who are not part of the standing committee only observe.[12] For more information, see chapter 3.
- The governing body of any **private organization** either (1) created by the legislative body in order to exercise authority that may lawfully be delegated by such body to a private corporation, limited liability company, or other entity or (2) that receives agency funding and whose governing board includes a member of the legislative body of the local agency appointed by the legislative body as a full voting member of the private entity's governing board.[13] These include some nonprofit corporations created by local agencies.[14] If a local agency contracts with a private firm for a service (for example, payroll, janitorial, or food services), the private firm is not covered by the Brown Act.[15] When a member of a legislative body sits on a board of a private organization as a private person and is not appointed by the legislative body, the board will not be subject to the Brown Act. Similarly, when the legislative body appoints someone other than one of its own members to such boards, the Brown Act does not apply. Nor does it apply when a private organization merely receives agency funding.[16]

PRACTICE TIP: It can be difficult to determine whether a subcommittee of a body falls into the category of a standing committee or an exempt temporary committee. Suppose a committee is created to explore the renewal of a franchise or a topic of similarly limited scope and duration. Is it an exempt temporary committee or a nonexempt standing committee? The answer may depend on factors such as how meeting schedules are determined, the scope of the committee's charge, or whether the committee exists long enough to have "continuing jurisdiction."

Q. The local chamber of commerce is funded in part by the city. The mayor sits on the chamber's board of directors. Is the chamber board a legislative body subject to the Brown Act?

A. *Maybe. If the chamber's governing documents require the mayor to be on the board and the city council appoints the mayor to that position, the board is a legislative body. If, however, the chamber board independently appoints the mayor to its board, or the mayor attends chamber board meetings in a purely advisory capacity, it is not.*

Q. If a community college district board creates an auxiliary organization to operate a campus bookstore or cafeteria, is the board of the organization a legislative body?

A. *Yes. But if the district instead contracts with a private firm to operate the bookstore or cafeteria, the Brown Act would not apply to the private firm.*

- **Certain types of hospital operators.** A lessee of a hospital (or portion of a hospital) first leased under Health and Safety Code subsection 32121(p) after Jan. 1, 1994, which exercises "material authority" delegated to it by a local agency, whether or not such lessee is organized and operated by the agency or by a delegated authority.[17]

What is <u>not</u> a "legislative body" for purposes of the Brown Act?

- A temporary advisory committee composed **solely of less than a quorum** of the legislative body that serves a limited or single purpose, that is not perpetual, and that will be dissolved once its specific task is completed is not subject to the Brown Act.[18] Temporary committees are sometimes called *ad hoc* committees, a term not used in the Brown Act. Examples include an advisory committee composed of less than a quorum created to interview candidates for a vacant position or to meet with representatives of other entities to exchange information on a matter of concern to the agency, such as traffic congestion.[19]
- Groups advisory to a single decision-maker or appointed by staff are not covered. The Brown Act applies only to committees created by formal action of the legislative body and not to committees created by others. A committee advising a superintendent of schools would not be covered by the Brown Act. However, the same committee, if created by formal action of the school board, would be covered.[20]

Q. A member of the legislative body of a local agency informally establishes an advisory committee of five residents to advise her on issues as they arise. Does the Brown Act apply to this committee?

A. *No, because the committee has not been established by formal action of the legislative body.*

Q. During a meeting of the city council, the council directs the city manager to form an advisory committee of residents to develop recommendations for a new ordinance. The city manager forms the committee and appoints its members; the committee is instructed to direct its recommendations to the city manager. Does the Brown Act apply to this committee?

A. *Possibly, because the direction from the city council might be regarded as a formal action of the body, notwithstanding that the city manager controls the committee.*

- Individual decision-makers who are not elected or appointed members of a legislative body are not covered by the Brown Act. For example, a disciplinary hearing presided over by a department head or a meeting of agency department heads is not subject to the Brown Act since such assemblies are not those of a legislative body.[21]
- Public employees, each acting individually and not engaging in collective deliberation on a specific issue, such as the drafting and review of an agreement, do not constitute a legislative body under the Brown Act, even if the drafting and review process was established by a legislative body.[22]
- County central committees of political parties are also not Brown Act bodies.[23]

Legal counsel for a governing body is not a member of the governing body, therefore, the Brown Act does not apply to them. But counsel should take care not to facilitate Brown Act violations by members of the governing body.[24]

ENDNOTES

1 *Taxpayers for Livable Communities v. City of Malibu* (2005) 126 Cal.App.4th 1123, 1127.

2 Cal. Gov. Code, § 54952, subds. (a) and (b).

3 Cal. Gov. Code, § 54951; Cal. Health & Saf. Code, § 34173, subd. (g) (successor agencies to former redevelopment agencies subject to the Brown Act). But see Cal. Ed. Code § 35147, which exempts certain school councils and school site advisory committees from the Brown Act and imposes upon them a separate set of rules.

4 *Torres v. Board of Commissioners of Housing Authority of Tulare County* (1979) 89 Cal.App.3d 545, 549-550.

5 71 Ops.Cal.Atty.Gen. 96 (1988); 73 Ops.Cal.Atty.Gen. 1 (1990).

6 *McKee v. Los Angeles Interagency Metropolitan Police Apprehension Crime Task Force* (2005) 134 Cal. App.4th 354, 362.

7 Cal. Gov. Code, § 54952.1.

8 *Joiner v. City of Sebastopol* (1981) 125 Cal.App.3d 799, 804-805.

9 Cal. Gov. Code, § 54952, subd. (b)

10 79 Ops.Cal.Atty.Gen. 69 (1996).

11 *Frazer v. Dixon Unified School District* (1993) 18 Cal.App.4th 781, 793.

12 Cal. Gov. Code § 54952, subd. (c)(6).

13 Cal. Gov. Code, § 54952, subd. (c)(1). Regarding private organizations that receive local agency funding, the same rule applies to a full voting member appointed prior to February 9, 1996, who, after that date, is made a nonvoting board member by the legislative body. Cal. Gov. Code § 54952, subd. (c)(2).

14 Cal. Gov. Code, § 54952(c)(1)(A); *International Longshoremen's and Warehousemen's Union v. Los Angeles Export Terminal, Inc.* (1999) 69 Cal.App.4th 287, 300; *Epstein v. Hollywood Entertainment Dist. II Business Improvement District* (2001) 87 Cal.App.4th 862, 876; see also 85 Ops.Cal.Atty.Gen. 55 (2002).

15 *International Longshoremen's and Warehousemen's Union v. Los Angeles Export Terminal, Inc.* (1999) 69 Cal.App.4th 287, 300 fn. 5.

16 *"The Brown Act, Open Meetings for Local Legislative Bodies,"* California Attorney General's Office (2003), p. 7.

17 Cal. Gov. Code, § 54952, subd. (d).

18 Cal. Gov. Code, § 54952, subd. (b); see also *Freedom Newspapers, Inc. v. Orange County Employees Retirement System Board of Directors* (1993) 6 Cal.4th 821, 832.

19 *Taxpayers for Livable Communities v. City of Malibu* (2005) 126 Cal.App.4th 1123, 1129.

20 56 Ops.Cal.Atty.Gen. 14, 16-17 (1973).

21 *Wilson v. San Francisco Municipal Railway* (1973) 29 Cal.App.3d 870, 878-879.

22 *Golightly v. Molina* (2014) 229 Cal.App.4th 1501, 1513.

23 59 Ops.Cal.Atty.Gen. 162, 164 (1976).

24 *GFRCO, Inc. v. Superior Court of Riverside County* (2023) 89 Cal.App.5th 1295, 1323; *Stockton Newspapers, Inc. v. Redevelopment Agency of the City of Stockton* (1985) 171 Cal.App.3d 95, 105 (a series of individual telephone calls between the agency attorney and the members of the body constituted a meeting).

Chapter 3

MEETINGS

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The Brown Act only applies to meetings of local legislative bodies. It defines a meeting as "any congregation of a majority of the members of a legislative body at the same time and location, including teleconference location as permitted by Section 54953, to hear, discuss, deliberate, or take any action on any item that is within the subject matter jurisdiction of the legislative body."[1] The term *meeting* is not limited to gatherings at which action is taken but includes deliberative gatherings as well. A hearing before an individual hearing officer is not a meeting under the Brown Act because it is not a hearing before a legislative body.[2]

Brown Act meetings

Brown Act meetings include a legislative body's regular meetings, special meetings, emergency meetings, and adjourned meetings.

- **"Regular meetings"** are meetings occurring at the dates, times, and location set by resolution, ordinance, or other formal action by the legislative body and are subject to 72-hour posting requirements.[3]
- **"Special meetings"** are meetings called by the presiding officer or majority of the legislative body to discuss only discrete items on the agenda under the Brown Act's notice requirements for special meetings and are subject to 24-hour posting requirements.[4]
- **"Emergency meetings"** are a limited class of meetings held when prompt action is needed due to actual or threatened disruption of public facilities and are held on little notice.[5]
- **"Adjourned meetings"** are regular or special meetings that have been adjourned or re-adjourned to a time and place specified in the order of adjournment, with no agenda required for regular meetings adjourned for less than five calendar days as long as no additional business is transacted.[6]

Six exceptions to the meeting definition

The Brown Act creates six exceptions to the meeting definition:[7]

Individual contacts

The first exception involves individual contacts between a member of the legislative body and any other person. The Brown Act does not limit a legislative body member acting on their own. This exception recognizes the right to confer with constituents, advocates, consultants, news reporters, local agency staff, or a colleague.

Individual contacts, however, cannot be used to do in stages what would be prohibited in one step. For example, a series of individual contacts that leads to discussion, deliberation, or action among a majority of the members of a legislative body is prohibited. Such serial meetings are discussed below.

Conferences

The second exception allows a legislative body majority to attend a conference or similar gathering open to the public that addresses issues of general interest to the public or to public agencies of the type represented by the legislative body.

Among other things, this exception permits legislative body members to attend annual association conferences of city, county, school, community college, and other local agency officials, as long as those meetings are open to the public. However, a majority of members cannot discuss among themselves, other than as part of the scheduled program, business of a specific nature that is within their local agency's subject matter jurisdiction.

Community meetings

The third exception allows a legislative body majority to attend an open and publicized meeting held by another organization to address a topic of local community concern. A majority cannot discuss among themselves, other than as part of the scheduled program, business of a specific nature that is within the legislative body's subject matter jurisdiction. Under this exception, a legislative body majority may attend a local service club meeting or a local candidates' night if the meetings are open to the public.

> **"I see we have four distinguished members of the city council at our meeting tonight," said the chair of the Environmental Action Coalition. "I wonder if they have anything to say about the controversy over enacting a slow growth ordinance?"**
>
> *The Brown Act permits a majority of a legislative body to attend and speak at an open and publicized meeting conducted by another organization. The Brown Act may nevertheless be violated if a majority discusses, deliberates, or takes action on an item during the meeting of the other organization. There is a fine line between what is permitted and what is not; hence, members should exercise caution when participating in these types of events.*

Q. The local chamber of commerce sponsors an open and public candidate debate during an election campaign. Three of the five agency members are up for reelection and all three participate. All of the candidates are asked their views on a controversial project scheduled for a meeting to occur just after the election. May the three incumbents answer the question?

A. *Yes, because the chamber of commerce, not the city, is organizing the debate. The city should not sponsor the event or assign city staff to help organize or run the event. Also, the Brown Act does not constrain the incumbents from expressing their views regarding important matters facing the local agency as part of the political process the same as any other candidates. Finally, incumbents participating in the event should take care to limit their remarks to the program set by the chamber and safeguard due process by indicating they will keep an open mind regarding specific applications that might come before the council.*

Q. May the three incumbents accept an invitation from the editorial board of a local paper to all candidates to meet as a group and answer questions about and/or debate city issues?

A. *No, unlike the chamber of commerce event, this would not be allowed under the Brown Act because it is not an open and publicized meeting.*

Other legislative bodies

The fourth exception allows a majority of a legislative body to attend an open and publicized meeting of (1) another body of the local agency and (2) a legislative body of another local agency.[8] Again, the majority cannot discuss among themselves, other than as part of the scheduled meeting, business of a specific nature that is within their subject matter jurisdiction. This exception allows, for example, a city council or a majority of a board of supervisors to attend a controversial meeting of the planning commission.

Nothing in the Brown Act prevents the majority of a legislative body from sitting together at such a meeting. They may choose not to, however, to preclude any possibility of improperly discussing local agency business and to avoid the appearance of a Brown Act violation. Further, aside from the Brown Act, there may be other reasons, such as due process considerations, why the members should avoid giving public testimony, trying to influence the outcome of proceedings before a subordinate body, or discussing the merits with interested parties.

Q. The entire legislative body intends to testify against a bill before the Senate Local Government Committee in Sacramento. Must this activity be noticed as a meeting of the body?

A. *No, because the members are attending and participating in an open meeting of another governmental body that the public may attend.*

Q. The members then proceed upstairs to the office of their local assembly member to discuss issues of local interest. Must this session be noticed as a meeting and be open to the public?

A. *Yes, because the entire body may not meet behind closed doors except for proper closed sessions. The same answer applies to a private lunch or dinner with the assembly member.*

Standing committees

The fifth exception authorizes the attendance of a majority at an open and noticed meeting of a standing committee of the legislative body, provided that the legislative body members who are not members of the standing committee attend only as observers (meaning that they cannot speak or otherwise participate in the meeting, and they must sit where members of the public sit).[9]

Q. The legislative body establishes a standing committee of two of its five members that meets monthly. A third member of the legislative body wants to attend these meetings and participate. May she?

A. *She may attend, but only as an observer; she may not participate.*

Q. Can the legislative body establish multiple standing committees with partially overlapping jurisdiction?

A. *Yes. One result of this overlap in jurisdiction may be that three or more of the members of the legislative body ultimately end up discussing an issue as part of a standing committee meeting. This is allowed under the Brown Act provided each standing committee meeting is publicly noticed and no more than two of the five members discuss the issue at any given standing committee meeting.*

Social or ceremonial events

The final exception permits a majority of a legislative body to attend a purely social or ceremonial occasion. Once again, a majority cannot discuss business among themselves of a specific nature that is within the subject matter jurisdiction of the legislative body.

Nothing in the Brown Act prevents a majority of members from attending the same football game, party, wedding, funeral, reception, or farewell. The test is not whether a majority of a legislative body attend the function, but whether business of a specific nature within the subject matter jurisdiction of the body is discussed. As long as no such business is discussed, there is no violation of the Brown Act.

Grand Jury Testimony

In addition, members of a legislative body, either individually or collectively, may give testimony in private before a grand jury.[10] This is the equivalent of a seventh exception to the Brown Act's definition of a "meeting."

Collective briefings

None of these exceptions permits a majority of a legislative body to meet together with staff in advance of a meeting for a collective briefing. Any such briefings that involve a majority of the body in the same place and time must be open to the public and satisfy Brown Act meeting notice and agenda requirements. Staff may provide written briefings (e.g., staff updates, emails from the city manager, confidential memos from the city attorney) to the full legislative body, but apart from privileged memos, the written materials may be subject to disclosure as public records as discussed in chapter 4.

Retreats, trainings, and workshops of legislative bodies

Gatherings by a majority of legislative body members at the legislative body's retreats, study sessions, trainings, or workshops are subject to the requirements of the Brown Act. This is the case whether the gathering focuses on long-range agency planning, discussion of critical local issues, satisfying state-mandated ethics training requirements, or team building and group dynamics.[11]

Q. The legislative body wants to hold a team-building session to improve relations among its members. May such a session be conducted behind closed doors?

A. *No, this is not a proper subject for a closed session, and there is no other basis to exclude the public. Council relations are a matter of public business.*

Serial meetings

One of the most frequently asked questions about the Brown Act involves serial meetings. At any one time, such meetings include only a portion of a legislative body, but eventually they comprise a majority. The Brown Act provides that "[a] majority of the members of a legislative body shall not, outside a meeting … use a series of communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the legislative body."[12] The problem with serial meetings is the process, which deprives the public of an opportunity for meaningful observation of and participation in legislative body decision-making.

Photo credit: Courtesy of the City of West Hollywood. Photo by Jon Viscott.

The serial meeting may occur by either a "daisy chain" or a "hub and spoke" sequence. In the daisy chain scenario, Member A contacts Member B, Member B contacts Member C, Member C contacts Member D, and so on until a quorum has discussed, deliberated, or taken action on an item within the legislative body's subject matter jurisdiction. The hub and spoke process involves at least two scenarios. In the first scenario, Member A (the hub) sequentially contacts Members B, C, D, and so on (the spokes) until a quorum has been contacted. In the second scenario, a staff member (the hub), functioning as an intermediary for the legislative body or one of its members, communicates with a majority of members (the spokes) one by one for discussion, deliberation, or a decision on a proposed action.[13] Another example of a serial meeting is when a chief executive officer (the hub) briefs a majority of members (the spokes) prior to a formal meeting and, in the process, information about the members' respective views is revealed. Each of these scenarios violates the Brown Act.

A legislative body member has the right, if not the duty, to meet with constituents to address their concerns. That member also has the right to confer with a colleague (but not with a majority of the body, counting the member) or appropriate staff about local agency business. An employee or official of a local agency may engage in separate conversations or communications outside of an open and noticed meeting "with members of a legislative body in order to answer questions or provide information regarding a matter that is within the subject matter jurisdiction of the local agency if that person does not communicate to members of the legislative body the comments or position of any other member or members of the legislative body."[14]

The Brown Act is violated, however, if several one-on-one meetings or conferences lead to a discussion, deliberation, or action by a majority. In one case, a violation occurred when a quorum

of a city council, by a letter that had been circulated among members outside of a formal meeting, directed staff to take action in an eminent domain proceeding.[15]

A unilateral written communication to the legislative body, such as an informational or advisory memorandum, does not violate the Brown Act.[16] Such a memo, however, may be a public record.[17]

The phone call was from a lobbyist. "Say, I need your vote for that project in the south area. How about it?"

"Well, I don't know," replied Board Member Aletto. "That's kind of a sticky proposition. You sure you need my vote?"

"Well, I've got Bradley and Cohen lined up and another vote leaning. With you, I'd be over the top."

Moments later, the phone rings again. "Hey, I've been hearing some rumbles on that south area project," said the newspaper reporter. "I'm counting noses. How are you voting on it?"

The lobbyist and the reporter are facilitating a violation of the Brown Act. The board member may have violated the Brown Act by hearing about the positions of other board members and indeed coaxing the lobbyist to reveal the other board members' positions by asking, "You sure you need my vote?" The prudent course is to avoid such leading conversations and to caution lobbyists, staff, and news media against revealing such positions of others.

The mayor sat down across from the city manager. "From now on," he declared, "I want you to provide individual briefings on upcoming agenda items. Some of this material is very technical, and the council members don't want to sound like idiots asking about it in public. Besides that, briefings will speed up the meeting."

Agency employees or officials may have separate conversations or communications outside of an open and noticed meeting "with members of a legislative body in order to answer questions or provide information regarding a matter that is within the subject matter jurisdiction of the local agency if that person does not communicate to members of the legislative body the comments or position of any other member or members of the legislative body."[18] Members should always be vigilant when discussing local agency business with anyone to avoid conversations that could lead to a discussion, deliberation, or action taken among the majority of the legislative body.

"Thanks for the information," said Council Member Kim. "These zoning changes can be tricky, and now I think I'm better equipped to make the right decision."

"Glad to be of assistance," replied the planning director. "I'm sure Council Member Jones is OK with these changes. How are you leaning?"

"Well," said Council Member Kim, "I'm leaning toward approval. I know that two of my colleagues definitely favor approval."

PRACTICE TIP: When briefing legislative body members, staff must exercise care not to disclose other members' views and positions.

The planning director should not disclose Jones' prospective vote, and Kim should not disclose the prospective votes of two colleagues. Under these facts, there likely has been a serial meeting in violation of the Brown Act.

Q. Various social media platforms and websites include forums where agency employees and officials can discuss issues of local agency business. Members of the legislative body participate regularly. Does this scenario present a potential for violation of the Brown Act?

A. *Yes, because it is a technological device that may serve to allow for a majority of members to discuss, deliberate, or take action on matters of agency business.*

Q. A member of a legislative body contacts two other members on a five-member body relative to scheduling a special meeting. Is this an illegal serial meeting?

A. *No, the Brown Act expressly allows a majority of a body to call a special meeting, though the members should avoid discussing the merits of what is to be taken up at the meeting.*

Particular care should be exercised when staff briefings of legislative body members occur by email because of the ease of using the "reply all" option that may inadvertently result in a Brown Act violation. Staff should consider using the "bcc" (blind carbon copy) option when addressing an email to multiple members of the legislative body and remind recipients not to "reply all."

Social media should also be used with care. A member of the legislative body cannot respond directly to any communication on an internet-based social media platform that is made, posted, or shared by any other member of the legislative body. This applies to matters within the subject matter jurisdiction of the legislative body. For example, if one member of a legislative body "likes" a social media post of one other member of the same body, that could violate the Brown Act, depending on the nature of the post.[19]

Finally, electronic communications (such as text messaging) among members of a legislative body during a public meeting should be discouraged. If such communications are sent to a majority of members of the body, either directly or through an intermediary, on a matter on the meeting agenda, that could violate the Brown Act. Electronic communications sent to less than a majority of members of the body during a quasi-judicial proceeding could potentially raise due process concerns, even if not per se prohibited by the Brown Act. Additionally, some legislative bodies have rules governing electronic communications during meetings of the legislative body and how their members should proceed if they receive a communication on an agenda item that is not part of the record or not part of an agenda packet.

Informal gatherings

Members of legislative bodies are often tempted to mix business with pleasure — for example, by holding a post-meeting gathering. Informal gatherings at which local agency business is discussed or transacted violate the law if they are not conducted in conformance with the Brown Act.[20] A gathering at which a quorum of the legislative body discusses matters within their jurisdiction violates the Brown Act even if that gathering occurs in a public place. The Brown Act is not satisfied by public visibility alone. It also requires public notice and an opportunity to attend, hear, and participate.

Thursday at 11:30 a.m., as they did every week, the board of directors of the Dry Gulch Irrigation District trooped into Pop's Donut Shoppe for an hour of talk and fellowship. They sat at the corner window, fronting on Main and Broadway, to show they had nothing to hide. Whenever he could, the managing editor of the weekly newspaper down the street hurried over to join the board.

A gathering like this would not violate the Brown Act if board members scrupulously avoided talking about irrigation district issues — which might be difficult. This kind of situation should be avoided. The public is unlikely to believe the board members could meet regularly without discussing public business. A newspaper executive's presence does not lessen the potential for a violation of the Brown Act.

Technological conferencing

Photo credit: Courtesy of the City of West Hollywood. Photo by Jon Viscott.

Except for certain non-substantive purposes, such as scheduling a special meeting, a conference call including a majority of the members of a legislative body is an unlawful meeting. But in an effort to keep up with modern technologies, the Brown Act specifically allows a legislative body to use any type of teleconferencing to meet, receive public comment and testimony, deliberate, or conduct a closed session.[21] While the Brown Act contains specific requirements for conducting a teleconference, the decision to use teleconferencing is entirely discretionary with the body. No person has a right under the Brown Act to have a meeting by teleconference.

Teleconference is defined as "a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both."[22] In addition to the specific requirements relating to teleconferencing, the meeting must comply with all provisions of the Brown Act otherwise applicable. The Brown Act contains the following teleconferencing requirements:[23]

- Teleconferencing may be used for all purposes during any meeting.
- At least a quorum of the legislative body must participate from locations within the local agency's jurisdiction.
- Additional teleconference locations may be made available for the public.
- Each teleconference location must be specifically identified in the notice and agenda of the meeting, including a full address and room number, as may be applicable.
- Agendas must be posted at each teleconference location, even if a hotel room or a residence.
- Each teleconference location, including a hotel room or residence, must be accessible to the public and have technology, such as a speakerphone, to enable the public to participate
- The agenda must provide the opportunity for the public to address the legislative body directly at each teleconference location.
- All votes must be by roll call.

Q. A member on vacation wants to participate in a meeting of the legislative body and vote by cellular phone from her car while driving from Washington, D.C., to New York. May she?

A. *She may not participate or vote because she is not in an open, noticed, and posted teleconference location.*

Until Jan. 1, 2026, teleconferencing may also be used on a limited basis where a member indicates their need to participate remotely for "just cause" (e.g., childcare or a contagious illness) or due to "emergency circumstances" (e.g., a physical or family medical emergency). This teleconferencing option has extremely detailed requirements, and careful review is needed. If the City experiences a technical issue that prevents members of the public from viewing the meeting and/or offering comments virtually, then no further action can be taken until the technical issue is resolved.[24]

The use of teleconferencing to conduct a legislative body meeting presents a variety of issues beyond the scope of this guide to discuss in detail. Therefore, before teleconferencing a meeting, legal counsel for the local agency should be consulted.

Location of meetings

The Brown Act generally requires all regular and special meetings of a legislative body, including retreats and workshops, to be held within the boundaries of the territory over which the local agency exercises jurisdiction.[25]

An open and publicized meeting of a legislative body may be held outside of agency boundaries if the purpose of the meeting is one of the following:[26]

- Comply with state or federal law or a court order, or attend a judicial conference or administrative proceeding in which the local agency is a party.
- Inspect real or personal property that cannot be conveniently brought into the local agency's territory, provided the meeting is limited to items relating to that real or personal property.

Q. The agency is considering approving a major retail mall. The developer has built other similar malls and invites the entire legislative body to visit a mall outside the jurisdiction. May the entire body go?

A. *Yes, the Brown Act permits meetings outside the boundaries of the agency for specified reasons and inspection of property is one such reason. The field trip must be treated as a meeting and the public must be allowed to attend.*

- Participate in multiagency meetings or discussions; however, such meetings must be held within the boundaries of one of the participating agencies, and all of those agencies must give proper notice.
- Meet in the closest meeting facility if the local agency has no meeting facility within its boundaries, or meet at its principal office if that office is located outside the territory over which the agency has jurisdiction.

- Meet with elected or appointed federal or California officials when a local meeting would be impractical, solely to discuss a legislative or regulatory issue affecting the local agency and over which the federal or state officials have jurisdiction.
- Meet in or nearby a facility owned by the agency, provided that the topic of the meeting is limited to items directly related to the facility.
- Visit the office of its legal counsel for a closed session on pending litigation when to do so would reduce legal fees or costs.[27]

In addition, the governing board of a school or community college district may hold meetings outside of its boundaries to attend a conference on nonadversarial collective bargaining techniques, interview candidates for school district superintendent, or interview a potential employee from another district.[28] A school board may also interview members of the public residing in another district if the board is considering employing that district's superintendent.

Similarly, meetings of a joint powers authority can occur within the territory of at least one of its member agencies, and a joint powers authority with members throughout the state may meet anywhere in the state.[29]

Finally, if a fire, flood, earthquake, or other emergency makes the usual meeting place unsafe, the presiding officer can designate another meeting place for the duration of the emergency. News media that have requested notice of meetings must be notified of the designation by the most rapid means of communication available.[30] State law has also allowed for virtual meetings under certain emergency situations.[31]

ENDNOTES

1 Cal. Gov. Code, § 54952.2, subd. (a).

2 *Wilson v. San Francisco Municipal Railway* (1973) 29 Cal.App.3d 870.

3 Cal. Gov. Code, § 54954, subd. (a).

4 Cal. Gov. Code, § 54956.

5 Cal. Gov. Code, § 54956.5.

6 Cal. Gov. Code, § 54955.

7 Cal. Gov. Code, § 54952.2, subd. (c).

8 Cal. Gov. Code, § 54952.2, subd. (c)(4).

9 Cal. Gov. Code, § 54952.2, subd. (c)(6). See 81 Ops.Cal.Atty.Gen. 156 (1998).

10 Cal. Gov. Code, § 54953.1.

11 "*The Brown Act,*" California Attorney General (2003), p. 10.

12 Cal. Gov. Code, § 54952.2, subd. (b)(1).

13 *Stockton Newspapers, Inc. v. Redevelopment Agency* of the City of Stockton (1985) 171 Cal.App.3d 95.

14 Cal. Gov. Code, § 54952.2, subd. (b)(2).

15 *Common Cause v. Stirling* (1983) 147 Cal.App.3d 518.

16 *Roberts v. City of Palmdale* (1993) 5 Cal.4th 363.

17 Cal. Gov. Code, § 54957.5, subd. (a).

18 Cal. Gov. Code, § 54952.2, subd. (b)(2).

19 Cal. Gov. Code, § 54952.2, subd. (b)(3).

20 Cal. Gov. Code, § 54952.2; 43 Ops.Cal.Atty.Gen. 36 (1964).

21 Cal. Gov. Code, § 54953, subd. (b)(1).

22 Cal. Gov. Code, § 54953, subd. (b)(4).

23 Cal. Gov. Code, § 54953. Until Jan. 1, 2024, the legislative body could use teleconferencing "during a proclaimed state of emergency" by the Governor in specified circumstances, and teleconference locations were exempt from certain requirements, such as identification in and posting of the agenda.

24 Cal Gov. Code, § 54953, subd. (f) (which will become Govt. §54953(e) as of Jan. 1, 2024).

25 Cal. Gov. Code, § 54954, subd. (b).

26 Cal. Gov. Code, § 54954, subd. (b)(1)-(7).

27 94 Ops.Cal.Atty.Gen. 15 (2011).

28 Cal. Gov. Code, § 54954, subd. (c).

29 Cal. Gov. Code, § 54954, subd. (d).

30 Cal. Gov. Code, § 54954, subd. (e).

31 Cal. Gov. Code, § 54953, subd. (e) (exp. January 1, 2026).

Chapter 4

AGENDAS, NOTICES, AND PUBLIC PARTICIPATION

Chapter 4

AGENDAS, NOTICES, AND PUBLIC PARTICIPATION

Effective notice is essential for an open and public meeting. Whether a meeting is open or how the public may participate in that meeting is academic if nobody knows about the meeting.

Agendas for regular meetings

Every regular meeting of a legislative body of a local agency — including advisory committees, commissions, or boards, as well as standing committees of legislative bodies — must be preceded by a posted agenda that advises the public of the meeting and the matters to be transacted or discussed.

The agenda must be posted at least 72 hours before the regular meeting in a location "freely accessible to members of the public."[1] The courts have not definitively interpreted the "freely accessible" requirement. The California Attorney General has interpreted this provision to require posting in a location open and accessible to the public 24 hours a day during the 72-hour period, but any of the 72 hours may fall on a weekend.[2] This provision may be satisfied by posting on a touch screen electronic kiosk accessible without charge to the public 24 hours a day during the 72-hour period.[3] While posting an agenda on an agency's internet website will not, by itself, satisfy the "freely accessible" requirement since there is no universal access to the internet, an agency has a supplemental obligation to post the agenda on its website if (1) the local agency has a website and (2) the legislative body whose meeting is the subject of the agenda is either (a) a governing body or (b) has members that are compensated, with one or more members that are also members of a governing body.[4]

Q. May the meeting of a governing body go forward if its agenda was either inadvertently not posted on the city's website or if the website was not operational during part or all of the 72-hour period preceding the meeting?

A. *At a minimum, the Brown Act calls for "substantial compliance" with all agenda posting requirements, including posting to the agency website.[5] Should website technical difficulties arise, seek a legal opinion from your agency attorney. The California Attorney General has opined that technical difficulties that cause the website agenda to become inaccessible for a portion of the 72 hours preceding a meeting do not automatically or inevitably lead to a Brown Act violation, provided the agency can demonstrate substantial compliance.[6] This inquiry requires a fact-specific examination of whether the agency or its legislative body made "reasonably effective efforts to notify interested persons of a public meeting" through online posting and other available means.[7] The Attorney General's opinion suggests that this examination would include an evaluation of how long a technical problem persisted, the efforts made to correct the problem or otherwise ensure that the public was informed, and the actual effect the problem had on public*

awareness, among other factors.[8] For these reasons, obvious website technical difficulties might not require cancellation of a meeting, provided that the agency meets all other Brown Act posting requirements and the agenda is available on the website once the technical difficulties are resolved.

The agenda must state the meeting time and place and must contain "a brief general description of each item of business to be transacted or discussed at the meeting, including items to be discussed in closed session."[9] For a discussion of descriptions for open and closed-session agenda items, see chapter 5. Special care should be made to describe on the agenda each distinct action to be taken by the legislative body, while an overbroad description of a "project" must be avoided if the "project" is actually a set of distinct actions, in which case each action must be listed separately on the agenda.[10] For example, the listing of an "initiative measure" alone on an agenda was found insufficient where the agency was also deciding whether to accept a gift from the measure proponent to pay for the election.[11]

PRACTICE TIP: Putting together a meeting agenda requires careful thought.

Q. The agenda for a regular meeting contains the following items of business:

- Consideration of a report regarding traffic on Eighth Street.
- Consideration of a contract with ABC Consulting.

Are these descriptions adequate?

A. *If the first is, it is barely adequate. A better description would provide the reader with some idea of what the report is about and what is being recommended. The second is not adequate. A better description might read, "Consideration of a contract with ABC Consulting in the amount of $50,000 for traffic engineering services regarding traffic on Eighth Street."*

Q. The agenda includes an item entitled City Manager's Report, during which time the city manager provides a brief report on notable topics of interest, none of which is listed on the agenda.

Is this permissible?

A. *Yes, as long as it does not result in extended discussion or action by the body.*

A brief general description may not be sufficient for closed-session agenda items. The Brown Act provides safe harbor language for the various types of permissible closed sessions.[12] Substantial compliance with the safe harbor language is recommended to protect legislative bodies and elected officials from legal challenges.

Mailed agenda upon written request

The legislative body, or its designee, must mail a copy of the agenda or, if requested, the entire agenda packet, to any person who has filed a written request for such materials. These copies shall be mailed at the time the agenda is posted or upon distribution to all, or a majority of all, of the members of the legislative body, whichever occurs first. If the local agency has an internet website, this requirement can be satisfied by emailing a copy of, or website link to, the agenda or agenda packet if the person making the request asks for it to be emailed. Further, if requested, these materials must be made available in appropriate alternative formats to persons with disabilities.

A request for notice is valid for one calendar year and renewal requests must be filed following January 1 of each year. The legislative body may establish a fee to recover the cost of providing the service. Failure of the requesting person to receive the agenda does not constitute grounds for invalidation of actions taken at the meeting.[13]

Notice requirements for special meetings

There is no express agenda requirement for special meetings, but the notice of the special meeting effectively serves as the agenda and limits the business that may be transacted or discussed. Written notice must be sent to each member of the legislative body (unless waived in writing by that member) and to each local newspaper of general circulation and each radio and television station that has requested such notice in writing. This notice must be delivered at least 24 hours before the time of the meeting by personal delivery or any other means that ensures receipt.

The notice must state the time and place of the meeting as well as all business to be transacted or discussed. It is recommended that the business to be transacted or discussed be described in the same manner that an item for a regular meeting would be described on the agenda, that is, with a brief general description. Some items must appear on a regular, not special, meeting agenda (e.g., general law city adoption of an ordinance or consideration of local agency executive compensation).[14]

As noted above, closed session items should be described in accordance with the Brown Act's safe harbor provisions to protect legislative bodies and elected officials from challenges of noncompliance with notice requirements.

The special meeting notice must also be posted at least 24 hours prior to the special meeting using the same methods as posting an agenda for a regular meeting: at a site that is freely accessible to the public, and on the agency's website if (1) the local agency has a website and (2) the legislative body whose meeting is the subject of the agenda is either (a) a governing body or (b) has members that are compensated, with one or more members that are also members of a governing body.[15]

Notices and agendas for adjourned and continued meetings and hearings

A regular or special meeting can be adjourned and re-adjourned to a time and place specified in the order of adjournment.[16] If no time is stated, the meeting is continued to the hour for regular meetings. Whoever is present (even if they are less than a quorum) may so adjourn a meeting; if no member of the legislative body is present, the clerk or secretary may adjourn the meeting. If a meeting is adjourned for less than five calendar days, no new agenda need be posted so long as a new item of business is not introduced.[17] A copy of the order of adjournment must be posted within 24 hours after the adjournment, at or near the door of the place where the meeting was held.

A hearing can be continued to a subsequent meeting. The process is the same as for continuing adjourned meetings, except that if the hearing is continued to a time less than 24 hours away, a copy of the order or notice of continuance must be posted immediately following the meeting.[18]

Notice requirements for emergency meetings

The special meeting notice provisions apply to emergency meetings, except for the 24-hour notice.[19] News media that have requested written notice of special meetings must be notified by telephone at least one hour in advance of an emergency meeting, and all telephone numbers provided in that written request must be tried. If telephones are not working, the notice requirements are deemed waived. However, the news media must be notified as soon as possible of the meeting and any action taken.

News media may make a practice of having written requests on file for notification of special or emergency meetings. Absent such a request, a local agency has no legal obligation to notify news media of special or emergency meetings — although notification may be advisable in any event to avoid controversy.

Notice of compensation for simultaneous or serial meetings

A legislative body that has convened a meeting and whose membership constitutes a quorum of another legislative body, may convene a simultaneous or serial meeting of the other legislative body only after a clerk or member of the convened legislative body orally announces (1) the amount of compensation or stipend, if any, that each member will be entitled to receive as a result of convening the meeting of the other legislative body; and (2) that the compensation or stipend is provided as a result of convening the meeting of that body.[20]

No oral disclosure of the amount of the compensation is required if the entire amount of such compensation is prescribed by statute and no additional compensation has been authorized by the local agency. Further, no disclosure is required with respect to reimbursements for actual and necessary expenses incurred in the performance of the member's official duties, such as for travel, meals, and lodging.

Educational agency meetings

The Education Code contains some special agenda and special meeting provisions.[21] However, they are generally consistent with the Brown Act. An item is probably void if not posted.[22] A school district board must also adopt regulations to make sure the public can place matters affecting the district's business on meeting agendas and can address the board on those items.[23]

Notice requirements for tax or assessment meetings and hearings

The Brown Act prescribes specific procedures for adoption by a city, county, special district, or joint powers authority of any new or increased tax or assessment imposed on businesses.[24] Although written broadly, these Brown Act provisions do not apply to new or increased real property taxes or assessments, as those are governed by the California Constitution, Article XIIIC or XIIID, enacted by Proposition 218. At least one public meeting must be held to allow public testimony on the tax or assessment. In addition, there must also be at least 45 days notice of a public hearing at which the legislative body proposes to enact or increase the tax or assessment. Notice of the public meeting and public hearing must be provided at the same time and in the same document. The public notice relating to general taxes must be provided by newspaper publication. The public notice relating to new or increased business assessments must be provided through a

mailing to all business owners proposed to be subject to the new or increased assessment. The agency may recover the reasonable costs of the public meetings, hearings, and notice.

The Brown Act exempts certain fees, standby or availability charges, recurring assessments, and new or increased assessments that are subject to the notice and hearing requirements of the Constitution.[25] As a practical matter, the Constitution's notice requirements have preempted this section of the Brown Act.

Non-agenda items

The Brown Act generally prohibits any action or discussion of items not on the posted agenda. However, there are three specific situations in which a legislative body can act on an item not on the agenda:[26]

- When a majority decides there is an "emergency situation" (as defined for emergency meetings).
- When two-thirds of the members present (or all members if less than two-thirds are present) determine there is a need for immediate action, and the need to take action "came to the attention of the local agency subsequent to the agenda being posted." This exception requires a degree of urgency. Further, an item cannot be considered under this provision if the legislative body or the staff knew about the need to take immediate action before the agenda was posted. A new need does not arise because staff forgot to put an item on the agenda or because an applicant missed a deadline.
- When an item appeared on the agenda of, and was continued from, a meeting held not more than five days earlier.

PRACTICE TIP: Subject to very limited exceptions, the Brown Act prohibits any action or discussion of an item not on the posted agenda.

The exceptions are narrow, as indicated by this list. The first two require a specific determination by the legislative body. That determination can be challenged in court and, if unsubstantiated, can lead to invalidation of an action.

> **"I'd like a two-thirds vote of the board so we can go ahead and authorize commencement of phase two of the East Area Project," said Chair Lopez.**
>
> **"It's not on the agenda. But we learned two days ago that we finished phase one ahead of schedule — believe it or not — and I'd like to keep it that way. Do I hear a motion?"**

The desire to stay ahead of schedule generally would not satisfy "a need for immediate action." Too casual an action could invite a court challenge by a disgruntled resident. The prudent course is to place an item on the agenda for the next meeting and not risk invalidation.

> **"We learned this morning of an opportunity for a state grant," said the chief engineer at the regular board meeting, "but our application has to be submitted in two days. We'd like the board to give us the go-ahead tonight, even though it's not on the agenda."**

A legitimate immediate need can be acted upon even though not on the posted agenda by following a two-step process:

- First, make two determinations: (1) that there is an immediate need to take action
  and (2) that the need arose after the posting of the agenda. The matter is then
  placed on the agenda.
- Second, discuss and act on the added agenda item.

Responding to the public

The public can talk about anything within the jurisdiction of the legislative body, but the legislative body generally cannot act on or discuss an item not on the agenda. What happens when a member of the public raises a subject not on the agenda?

While the Brown Act does not allow discussion or action on items not on the agenda, it does allow members of the legislative body, or its staff, to "briefly respond" to comments or questions from members of the public, provide a reference to staff or other resources for factual information, or direct staff to place the issue on a future agenda. In addition, even without a comment from the public, a legislative body member or a staff member may ask for information, request a report back, request to place a matter on the agenda for a subsequent meeting (subject to the body's rules or procedures), ask a question for clarification, make a brief announcement, or briefly report on their own activities.[27] However, caution should be used to avoid any discussion or action on such items.

> **Council Member Jefferson: I would like staff to respond to Resident Joe's complaints during public comment about the repaving project on Elm Street. Are there problems with this project?**
>
> **City Manager Frank: The public works director has prepared a 45-minute PowerPoint presentation for you on the status of this project and will give it right now.**
>
> **Council Member Brown: Take all the time you need; we need to get to the bottom of this. Our residents are unhappy.**

It is clear from this dialogue that the Elm Street project was not on the council's agenda but was raised during the public comment period for items not on the agenda. Council Member Jefferson properly asked staff to respond; the city manager should have given at most a brief response. If a lengthy report from the public works director was warranted, the city manager should have stated that it would be placed on the agenda for the next meeting. Otherwise, both the long report and the likely discussion afterward will improperly embroil the council in a matter that is not listed on the agenda.

The right to attend and observe meetings

A number of Brown Act provisions protect the public's right to attend, observe, and participate in meetings.

Members of the public cannot be required to register their names, provide other information, complete a questionnaire, or otherwise "fulfill any condition precedent" to attending a meeting. Any attendance list, questionnaire, or similar document posted at or near the entrance to the meeting room or circulated at a meeting must clearly state that its completion is voluntary and that all persons may attend whether or not they fill it out.[28]

No meeting can be held in a facility that prohibits attendance based on race, religion, color, national origin, ethnic group identification, age, sex, sexual orientation, or disability, or that is inaccessible to the disabled. Nor can a meeting be held where the public must make a payment or purchase in order to be present.[29] This does not mean, however, that the public is entitled to free entry to a conference attended by a majority of the legislative body.[30]

While a legislative body may use teleconferencing in connection with a meeting, the public must be given notice of and access to the teleconference location. Members of the public must be able to address the legislative body from the teleconference location.[31]

Action by secret ballot, whether preliminary or final, is flatly prohibited.[32]

All actions taken by the legislative body in open session, and the vote of each member thereon, must be disclosed to the public at the time the action is taken.[33]

Q. The agenda calls for election of the legislative body's officers. Members of the legislative body want to cast unsigned written ballots that would be tallied by the clerk, who would announce the results. Is this voting process permissible?

A. *No. The possibility that a public vote might cause hurt feelings among members of the legislative body or might be awkward — or even counterproductive — does not justify a secret ballot.*

The legislative body may remove persons from a meeting who willfully interrupt or disrupt proceedings.[34] Ejection is justified only when audience members actually disrupt the proceedings,[35] or, alternatively, if the presiding member of the legislative body warns a person that their behavior is disruptive and that continued disruption may result in their removal (but no prior warning is required if there is a use of force or true threat of force).[36] If order cannot be restored after ejecting disruptive persons, the meeting room may be cleared. Members of the news media who have not participated in the disturbance must be allowed to continue to attend the meeting. The legislative body may establish a procedure to readmit an individual or individuals not responsible for the disturbance.[37]

Records and recordings

The public has the right to review agendas and other writings distributed by any person to a majority of the legislative body in connection with a matter subject to discussion or consideration at a meeting. Except for privileged documents, those materials are public records and must be made available upon request without delay.[38] A fee or deposit as permitted by the California Public Records Act may be charged for a copy of a public record.[39]

Q. In connection with an upcoming hearing on a discretionary use permit, counsel for the legislative body transmits a memorandum to all members of the body outlining the litigation risks in granting or denying the permit. Must this memorandum be included in the packet of agenda materials available to the public?

A. *No. The memorandum is a privileged attorney-client communication.*

Q. In connection with an agenda item calling for the legislative body to approve a contract, staff submits to all members of the body a financial analysis explaining why the terms of the contract favor the local agency. Must this memorandum be included in the packet of agenda materials available to the public?

A. *Yes. The memorandum has been distributed to the majority of the legislative body, relates to the subject matter of a meeting, and is not a privileged communication.*

A legislative body may discuss or act on some matters without considering written materials. But if writings are distributed to a majority of a legislative body in connection with an agenda item, they must also be available to the public. A nonexempt or otherwise non-privileged writing distributed to a majority of the legislative body less than 72 hours before the meeting must be made available for inspection at the time of distribution at a public office or location designated for that purpose, and the agendas for all meetings of the legislative body must include the address of this office or location.[40] The location designated for public inspection must be open to the public, not a locked or closed office. Alternatively, the documents can be posted on the city's website for public review if statutory requirements are met.[41]

A writing distributed during a meeting must be made public:

- At the meeting if prepared by the local agency or a member of its legislative body.
- After the meeting if prepared by some other person.[42]

This requirement does not prevent assessing a fee or deposit for providing a copy of a public record pursuant to the California Public Records Act except where required to accommodate persons with disabilities.[43]

Any tape or film record of an open and public meeting made for whatever purpose by or at the direction of the local agency is subject to the California Public Records Act; however, it may be erased or destroyed 30 days after the taping or recording. Any inspection of a video or tape recording is to be provided without charge on a video or tape player made available by the local agency.[44] The agency may impose its ordinary charge for copies that is consistent with the California Public Records Act.[45]

In addition, the public is specifically allowed to use audio or videotape recorders or still or motion picture cameras at a meeting to record meetings of legislative bodies, absent a reasonable finding by the body that noise, illumination, or obstruction of view caused by recorders or cameras would persistently disrupt the proceedings.[46]

Similarly, a legislative body cannot prohibit or restrict the public broadcast of its open and public meetings without making a reasonable finding that the noise, illumination, or obstruction of view would persistently disrupt the proceedings.[47]

PRACTICE TIP: Public speakers cannot be compelled to give their name or address as a condition of speaking. The clerk or presiding officer may request speakers to complete a speaker card or identify themselves for the record but must respect a speaker's desire for anonymity.

The public's right to speak during a meeting

Every agenda for a regular meeting must allow members of the public to speak on any item of interest, as long as the item is within the subject matter jurisdiction of the legislative body. Further, the public must be allowed to speak on a specific item of business before or during the legislative body's consideration of it.[48]

Q. Must the legislative body allow members of the public to show videos or make a PowerPoint presentation during the public comment part of the agenda, as long as the subject matter is relevant to the agency and is within the established time limit?

A. *Probably, although the agency is under no obligation to provide equipment.*

Moreover, the Brown Act, as well as case law, prevents legislative bodies from prohibiting public criticism of policies, procedures, programs, or services of the agency or the acts or omissions of the legislative body itself.[49] However, this prohibition does not provide immunity for defamatory statements.[50]

Q. May the presiding officer prohibit a member of the audience from publicly criticizing an agency employee by name during public comments?

A. *No, as long as the criticism pertains to job performance.*

Q. During the public comment period of a regular meeting of the legislative body, a resident urges the public to support and vote for a candidate vying for election to the body. May the presiding officer gavel the speaker out of order for engaging in political campaign speech?

A. *There is no case law on this subject. Some would argue that purely campaign issues are outside the subject matter jurisdiction of the body within the meaning of Section 54954.3(a). Others take the view that the speech must be allowed under paragraph (c) of that section where relevant to the governing of the agency and an implicit criticism of the incumbents' performance of city business.*

The legislative body may adopt reasonable regulations, including a limit on the total time permitted for public comment and a limit on the time permitted per speaker.[51] Such regulations should be enforced fairly and without regard to speakers' viewpoints. The legislative body has discretion to modify its regulations regarding time limits on public comment if necessary. For example, the time limit could be shortened to accommodate a lengthy agenda or lengthened to allow additional time for discussion on a complicated matter.[52]

The public does not need to be given an opportunity to speak on an item that has already been considered by a committee made up exclusively of members of the legislative body at a regular (but not special) public meeting if all interested members of the public had the opportunity to

speak on the item before or during its consideration, and if the item has not been substantially changed.[53]

Notices and agendas for special meetings must also give members of the public the opportunity to speak before or during consideration of an item on the agenda but need not allow members of the public an opportunity to speak on other matters within the jurisdiction of the legislative body.[54]

ENDNOTES

1 Cal. Gov. Code, § 54954.2, subd. (a)(1).

2 78 Ops.Cal.Atty.Gen. 327 (1995).

3 88 Ops.Cal.Atty.Gen. 218 (2005).

4 Cal. Gov. Code, §§ 54954.2, subd. (a)(1) and 54954.2, subd. (d).

5 Cal. Gov. Code, § 54960.1, subd. (d)(1).

6 99 Ops.Cal.Atty.Gen. 11 (2016).

7 *North Pacifica LLC v. California Coastal Commission* (2008) 166 Cal.App.4th 1416, 1432.

8 99 Ops.Cal.Atty.Gen. 11 (2016).

9 Cal. Gov. Code, § 54954.2, subd. (a)(1).

10 *San Joaquin Raptor Rescue v. County of Merced* (2013) 216 Cal.App.4th 1167 (legislative body's approval of California Environmental Quality Act [CEQA] action [mitigated negative declaration] without specifically listing it on the agenda violates the Brown Act, even if the agenda generally describes the development project that is the subject of the CEQA analysis). See also *GI Industries v. City of Thousand Oaks* (2022) 84 Cal.App.5th 814 (depublished) (Brown Act requires CEQA finding of exemption to be listed on agenda items that are projects under CEQA).

11 *Hernandez v. Town of Apple Valley* (2017) 7 Cal.App.5th 194.

12 Cal. Gov. Code, § 54954.5.

13 Cal. Gov. Code, § 54954.1.

14 Cal. Gov. Code, §§ 36934; 54956, subd. (b).

15 Cal. Gov. Code, § 54956, subds. (a) and (c).

16 Cal. Gov. Code, § 54955.

17 Cal. Gov. Code, § 54954.2, subd. (b)(3).

18 Cal. Gov. Code, § 54955.1.

19 Cal. Gov. Code, § 54956.5.

20 Cal. Gov. Code, § 54952.3.

21 Cal. Edu. Code, §§ 35144, 35145, and 72129.

22 *Carlson v. Paradise Unified School District* (1971) 18 Cal.App.3d 196.

23 Cal. Edu. Code, § 35145.5

24 Cal. Edu. Code, § 54954.6

25 See Cal. Const. Art. XIIIC, XIIID; Cal. Gov. Code, § 54954.6, subd. (h).

26 Cal. Gov. Code, § 54954.2, subd. (b).

27 Cal. Gov. Code, § 54954.2, subd. (a)(2); *Cruz v. City of Culver City* (2016) 2 Cal.App.5th 239 (six-minute colloquy on non-agenda item with staff answering questions and advising that matter could be placed on future agenda fell within exceptions to discussing or acting upon non-agenda items).

28 Cal. Gov. Code, § 54953.3.

29 Cal. Gov. Code, § 54961, subd. (a); Cal. Gov. Code, § 11135, subd. (a).

30 Cal. Gov. Code, § 54952.2, subd. (c)(2).

31 Cal. Gov. Code, § 54953, subd. (b).

32 Cal. Gov. Code, § 54953, subd. (c).

33 Cal. Gov. Code, § 54953, subd. (c)(2).

34 Cal. Gov. Code, §§ 54957.9, 54957.95.

35 *Norse v. City of Santa Cruz* (9th Cir. 2010) 629 F.3d 966 (silent and momentary Nazi salute directed toward mayor is not a disruption); *Acosta v. City of Costa Mesa* (9th Cir. 2013) 718 F.3d 800 (city council may not prohibit "insolent" remarks by members of the public absent actual disruption); but see *Kirkland v. Luken* (S.D. Ohio 2008) 536 F.Supp.2d 857 (finding no First Amendment violation by mayor for turning off microphone and removing speaker who used foul and inflammatory language that was deemed as "likely to incite the members of the audience during the meeting, cause disorder, and disrupt the meeting").

36 Cal. Gov. Code, § 54957.95.

37 Cal. Gov. Code, § 54957.9.

38 Cal. Gov. Code, § 54957.5.

39 Cal. Gov. Code, § 54957.5, subd. (d).

40 Cal. Gov. Code, § 54957.5(b); see also *Sierra Watch v. Placer County* (2021) 69 Cal.App.5th 1.

41 Cal. Gov. Code § 54957.5.

42 Cal. Gov. Code, § 54957.5, subd. (c).

43 Cal. Gov. Code, § 54957.5, subd. (d).

44 Cal. Gov. Code, § 54953.5, subd. (b).

45 Cal. Gov. Code, § 54957.5, subd. (d).

46 Cal. Gov. Code, § 54953.5, subd. (a).

47 Cal. Gov. Code, § 54953.6.

48 Cal. Gov. Code, § 54954.3, subd. (a).

49 Cal. Gov. Code, § 54954.3, subd. (c); Acosta v. City of Costa Mesa (9th Cir. 2013) 718 F.3d 800.

50 Cal. Gov. Code, § 54954.3, subd. (c).

51 *Ribakoff v. City of Long Beach* (2018) 27 Cal.App.5th 150 (public comment time limit of three minutes for each speaker did not violate First Amendment).

52 Cal. Gov. Code, § 54954.3. subd. (b); *Chaffee v. San Francisco Public Library Commission* (2005) 134 Cal.App.4th 109; 75 Ops.Cal.Atty.Gen. 89 (1992).

53 Cal. Gov. Code, § 54954.3, subd. (a); *Preven v. City of Los Angeles* (2019) 32 Cal.App.5th 925.

54 Cal. Gov. Code, § 54954.3, subd. (a).

Chapter 5

CLOSED SESSIONS

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CLOSED SESSIONS

A closed session is a meeting of a legislative body conducted in private without the attendance of the public or press. A legislative body is authorized to meet in closed session only to the extent expressly authorized by the Brown Act.[1]

As summarized in chapter 1 of this guide, it is clear that the Brown Act must be interpreted liberally in favor of open meetings, and exceptions that limit public access (including the exceptions for closed session meetings) must be narrowly construed.[2] The most common purposes of the closed session provisions in the Brown Act are to avoid revealing confidential information (e.g., prejudicing the city's position in litigation or compromising the privacy interests of employees). Closed sessions should be conducted keeping those narrow purposes in mind. It is not enough that a subject is sensitive, embarrassing, or controversial. Without specific authority in the Brown Act for a closed session, a matter to be considered by a legislative body must be discussed in public. However, there is no prohibition in putting overlapping exceptions on an agenda in order to provide an opportunity for more robust closed session discussions. As an example, a city council cannot give direction to the city manager about a property negotiation during a performance evaluation exception. However, if both real property negotiation and performance evaluation exceptions are on the agenda, those discussions might be conducted. Similarly, a board of police commissioners cannot meet in closed session to provide general policy guidance to a police chief, even though some matters are sensitive and the commission considers their disclosure contrary to the public interest.[3]

PRACTICE TIP: Some problems over closed sessions arise because secrecy itself breeds distrust. The Brown Act does not require closed sessions and legislative bodies may do well to resist the tendency to call a closed session simply because it may be permitted. A better practice is to go into closed session only when necessary.

In this chapter, the grounds for convening a closed session are called "exceptions" because they are exceptions to the general rule that meetings must be conducted openly. In some circumstances, none of the closed session exceptions applies to an issue or information the legislative body wishes to discuss privately. In these cases, it is not proper to convene a closed session, even to protect confidential information. For example, although the Brown Act does authorize closed sessions related to specified types of contracts (e.g., specified provisions of real property agreements, employee labor agreements, and litigation settlement agreements),[4] the Brown Act does not authorize closed sessions for other contract negotiations.

Agendas and reports

Closed session items must be briefly described on the posted agenda, and the description must state the specific statutory exemption.[5] An item that appears on the open meeting portion of the agenda may not be taken into closed session until it has been properly put on the agenda as a

closed session item or unless it is properly added as a closed-session item by a two-thirds vote of the body after making the appropriate urgency findings.[6]

The Brown Act supplies a series of fill-in-the-blank sample agenda descriptions for various types of authorized closed sessions that provide a "safe harbor" from legal attacks. These sample agenda descriptions cover license and permit determinations, real property negotiations, existing or anticipated litigation, liability claims, threats to security, public employee appointments, evaluations and discipline, labor negotiations, multijurisdictional law enforcement cases, hospital boards of directors, medical quality assurance committees, joint powers agencies, and audits by the California State Auditor's Office.[7]

If the legislative body intends to convene in closed session, it must include the section of the Brown Act authorizing the closed session in advance on the agenda, and it must make a public announcement prior to the closed session discussion. In most cases, the announcement may simply be a reference to the agenda item.[8] The legislative body must take public comment on the closed session item before convening in a closed session.

PRACTICE TIP: Pay close attention to closed session agenda descriptions. Using the wrong label can lead to invalidation of an action taken in closed session if not substantially compliant.

Following a closed session, the legislative body must provide an oral or written report on certain actions taken and the vote of every elected member present. The timing and content of the report vary according to the reason for the closed session and the action taken.[9] The announcements may be made at the site of the closed session, as long as the public is allowed to be present to hear them.

If there is a standing or written request for documentation, any copies of contracts, settlement agreements, or other documents finally approved or adopted in closed session must be provided to the requestor(s) after the closed session if final approval of such documents does not rest with any other party to the contract or settlement. If substantive amendments to a contract or settlement agreement approved by all parties requires retyping, such documents may be held until retyping is completed during normal business hours, but the substance of the changes must be summarized for any person inquiring about them.[10]

The Brown Act does not require minutes, including minutes of closed sessions. However, a legislative body may adopt an ordinance or resolution to authorize a confidential "minute book" be kept to record actions taken at closed sessions.[11] If one is kept, it must be made available to members of the legislative body, provided that the member asking to review minutes of a particular meeting was not disqualified from attending the meeting due to a conflict of interest.[12] A court may order the disclosure of minute books for the court's review if a lawsuit makes sufficient claims of an open meeting violation.

Litigation

The Brown Act expressly authorizes closed sessions to discuss what is considered pending litigation.[13] The rules that apply to holding a litigation closed session involve complex, technical definitions and procedures. Essentially, a closed session can be held by the body to confer with, or receive advice from, its legal counsel when open discussion would prejudice the position of the local agency in litigation in which the agency is, or could become, a party.[14] The litigation exception under the Brown Act is narrowly construed and does not permit activities beyond a legislative body's conferring with its own legal counsel and required support staff.[15] For example, it is not permissible to hold a closed session in which settlement negotiations take place between a legislative body, a representative of an adverse party, and a mediator.[16]

The California Attorney General has opined that if the agency's attorney is not a participant, a litigation closed session cannot be held.[17] In any event, local agency officials should always consult the agency's attorney before placing this type of closed session on the agenda in order to be certain that it is being done properly.

Before holding a closed session under the pending litigation exception, the legislative body must publicly state the basis for the closed session by identifying one of the following three types of matters: existing litigation, anticipated exposure to litigation, or anticipated initiation of litigation.[18]

Existing litigation

Q. May the legislative body agree to settle a lawsuit in a properly noticed closed session without placing the settlement agreement on an open session agenda for public approval?

A. *Yes, but the settlement agreement is a public document and must be disclosed on request. Furthermore, a settlement agreement cannot commit the agency to matters that are required to have public hearings.*[19]

Existing litigation includes any adjudicatory proceedings before a court, administrative body exercising its adjudicatory authority, hearing officer, or arbitrator. The clearest situation in which a closed session is authorized is when the local agency meets with its legal counsel to discuss a pending matter that has been filed in a court or with an administrative agency and names the local agency as a party. The legislative body may meet under these circumstances to receive updates on the case from attorneys, participate in developing strategy as the case develops, or consider alternatives for resolution of the case. Generally, an agreement to settle litigation may be approved in closed session. However, an agreement to settle litigation cannot be approved in closed session if it commits the city to take an action that is required to have a public hearing.[20]

Anticipated exposure to litigation against the local agency

Closed sessions are authorized for legal counsel to inform the legislative body of a significant exposure to litigation against the local agency, but only if based on "existing facts and circumstances" as defined by the Brown Act.[21] The legislative body may also meet under this exception to determine whether a closed session is authorized based on information provided by legal counsel or staff. In general, the "existing facts and circumstances" must be publicly disclosed unless they are privileged written communications or not yet known to a potential plaintiff. If an agency receives a documented threat of litigation, and intends to discuss that matter in closed session, the record of a litigation threat must be included in the body's agenda packet.[22]

Anticipated initiation of litigation by the local agency

A closed session may be held under the exception for the anticipated initiation of litigation when the legislative body seeks legal advice on whether to protect the agency's rights and interests by initiating litigation.

Certain actions must be reported in open session at the same meeting following the closed session. Other actions, such as when final approval rests with another party or the court, may be announced when they become final and upon inquiry of any person.[23] Each agency attorney should be aware of and make the disclosures that are required by the particular circumstances.

Real estate negotiations

A legislative body may meet in closed session with its negotiator to discuss the purchase, sale, exchange, or lease of real property by or for the local agency. A "lease" includes a lease renewal or renegotiation. The purpose is to grant authority to the legislative body's negotiator on price and terms of payment.[24] Caution should be exercised to limit discussion to price and terms of payment without straying to other related issues, such as site design, architecture, or other aspects of the project for which the transaction is contemplated.[25]

Q. May other terms of a real estate transaction, aside from price and terms of payment, be addressed in closed session?

A. *No. However, there are differing opinions over the scope of the phrase "price and terms of payment" in connection with real estate closed sessions. Many agency attorneys argue that any term that directly affects the economic value of the transaction falls within the ambit of "price and terms of payment." Others take a narrower, more literal view of the phrase.*

The agency's negotiator may be a member of the legislative body itself. Prior to the closed session, or on the agenda, the legislative body must identify its negotiators, the real property that the negotiations may concern,[26] and the names of the parties with whom its negotiator may negotiate.[27]

After real estate negotiations are concluded, the approval and substance of the agreement must be publicly reported. If its own approval makes the agreement final, the body must report in open session at the public meeting during which the closed session is held. If final approval rests with another party, the local agency must report the approval and the substance of the agreement upon inquiry by any person as soon as the agency is informed of it.[28]

"Our population is exploding, and we have to think about new school sites," said Board Member Jefferson.

"Not only that," interjected Board Member Tanaka, "we need to get rid of a couple of our older facilities."

"Well, obviously the place to do that is in a closed session," said Board Member O'Reilly. "Otherwise we're going to set off land speculation. And if we even mention closing a school, parents are going to be in an uproar."

A closed session to discuss potential sites is not authorized by the Brown Act. The exception is limited to meeting with its negotiator over specific sites — which must be identified at an open and public meeting.

PRACTICE TIP: Discussions of who to appoint to an advisory body and whether or not to censure a fellow member of the legislative body must be held in the open.

Public employment

The Brown Act authorizes a closed session "to consider the appointment, employment, evaluation of performance, discipline, or dismissal of a public employee or to hear complaints or charges brought against the employee."[29] The purpose of this exception — commonly referred to as the "personnel exception" — is to avoid undue publicity or embarrassment for an employee or applicant for employment and to allow full and candid discussion by the legislative body; thus, it is restricted to discussing individuals, not general personnel policies.[30] The body must possess the power to appoint, evaluate, or dismiss the employee to hold a closed session under this exception.[31] That authority may be delegated to a subsidiary appointed body.[32]

An employee must be given at least 24 hours' notice of any closed session convened to hear specific complaints or charges against them. This occurs when the legislative body is reviewing evidence, which could include live testimony, and adjudicating conflicting testimony offered as evidence. A legislative body may examine (or exclude) witnesses,[33] and the California Attorney General has opined that, when an affected employee and advocate have an official or essential role to play, they may be permitted to participate in the closed session.[34] The employee has the right to have the specific complaints and charges discussed in a public session rather than closed session.[35] If the employee is not given the 24-hour prior notice, any disciplinary action is null and void.[36]

However, an employee is not entitled to notice and a hearing where the purpose of the closed session is to consider a performance evaluation. The Attorney General and the courts have determined that personnel performance evaluations do not constitute complaints and charges, which are more akin to accusations made against a person.[37]

Q. Must 24 hours' notice be given to an employee whose negative performance evaluation is to be considered by the legislative body in closed session?

A. *No, the notice is reserved for situations where the body is to hear complaints and charges from witnesses.*

Correct labeling of the closed session on the agenda is critical. A closed session agenda that identified discussion of an employment contract was not sufficient to allow dismissal of an employee.[38] An incorrect agenda description can result in invalidation of an action and much embarrassment.

For purposes of the personnel exception, "employee" specifically includes an officer or an independent contractor who functions as an officer or an employee. Examples of the former include a city manager, district general manager, or superintendent. Examples of the latter include a legal counsel or engineer hired on contract to act as local agency attorney or chief engineer.

Elected officials, appointees to the governing body or subsidiary bodies, and independent contractors other than those discussed above are not employees for purposes of the personnel exception.[39] Action on individuals who are not "employees" must also be public — including discussing and voting on appointees to committees, debating the merits of independent contractors, or considering a complaint against a member of the legislative body itself.

The personnel exception specifically prohibits discussion or action on proposed compensation in closed session except for a disciplinary reduction in pay. That means, among other things, there can be no personnel closed sessions on a salary change (other than a disciplinary reduction) between any unrepresented individual and the legislative body. However, a legislative body may address the compensation of an unrepresented individual, such as a city manager, in a closed session as part of a labor negotiation (discussed later in this chapter), yet another example of the importance of using correct agenda descriptions.

Reclassification of a job must be public, but an employee's ability to fill that job may be considered in closed session.

Any closed session action to appoint, employ, dismiss, accept the resignation of, or otherwise affect the employment status of a public employee must be reported at the public meeting during which the closed session is held. That report must identify the title of the position, but not the names of all persons considered for an employment position.[40] However, a report on a dismissal or non-renewal of an employment contract must be deferred until administrative remedies, if any, are exhausted.[41]

> **"I have some important news to announce," said Mayor Garcia. "We've decided to terminate the contract of the city manager effective immediately. The council has met in closed session, and we've negotiated six months' severance pay."**
>
> **"Unfortunately, that has some serious budget consequences, so we've had to delay phase two of the East Area Project."**
>
> *This may be an improper use of the personnel closed session if the council agenda described the item as the city manager's evaluation. In addition, other than labor negotiations, any action on individual compensation must be taken in open session. Caution must be exercised not to discuss in closed session issues, such as budget impacts in this hypothetical, beyond the scope of the posted closed session notice.*

PRACTICE TIP: The personnel exception specifically prohibits discussion or action on proposed compensation in closed session except for a disciplinary reduction in pay.

Labor negotiations

The Brown Act allows closed sessions for some aspects of labor negotiations. Different provisions (discussed below) apply to school and community college districts.

A legislative body may meet in closed session to instruct its bargaining representatives, which may be one or more of its members,[42] on employee salaries and fringe benefits for both represented ("union") and unrepresented employees. For represented employees, it may also consider working conditions that by law require negotiation. For the purpose of labor negotiation closed sessions, an "employee" includes an officer or an independent contractor who functions as an officer or an employee, but independent contractors who do not serve in the capacity of an officer or employee are not covered by this closed session exception.[43]

PRACTICE TIP: Prior to the closed session, the legislative body must hold an open and public session in which it identifies its designated representatives.

These closed sessions may take place before or during negotiations with employee representatives. Prior to the closed session, the legislative body must hold an open and public session in which it identifies its designated representatives.

During its discussions with representatives on salaries and fringe benefits, the legislative body may discuss available funds and funding priorities, but only to instruct its representative. The body may also meet in closed session with a conciliator who has intervened in negotiations.[44]

The approval of an agreement concluding labor negotiations with represented employees must be reported after the agreement is final and has been accepted or ratified by the other party. The report must identify the item approved and the other party or parties to the negotiation.[45] The labor closed sessions specifically cannot include final action on proposed compensation of one or more unrepresented employees.

Labor negotiations — school and community college districts

Employee relations for school districts and community college districts are governed by the Rodda Act, where different meeting and special notice provisions apply. The entire board, for example, may negotiate in closed sessions.

Four types of meetings are exempted from compliance with the Rodda Act:

1. A negotiating session with a recognized or certified employee organization.
2. A meeting of a mediator with either side.
3. A hearing or meeting held by a fact finder or arbitrator.
4. A session between the board and its bargaining agent, or the board alone, to discuss its position regarding employee working conditions and instruct its agent.[46]

Public participation under the Rodda Act also takes another form.[47] All initial proposals of both sides must be presented at public meetings and are public records. The public must be given reasonable time to inform itself and to express its views before the district may adopt its initial proposal. In addition, new topics of negotiations must be made public within 24 hours. Any votes on such a topic must be followed within 24 hours by public disclosure of the vote of each member.[48] The final vote must be in public.

Other Education Code exceptions

The Education Code governs student disciplinary meetings by boards of school districts and community college districts. District boards may hold a closed session to consider the suspension or discipline of a student if a public hearing would reveal personal, disciplinary, or academic information about the student contrary to state and federal pupil privacy law. The student's parent or guardian may request an open meeting.[49]

PRACTICE TIP: Attendance by the entire legislative body before a grand jury would not constitute a closed session meeting under the Brown Act.

Community college districts may also hold closed sessions to discuss some student disciplinary matters, awarding of honorary degrees, or gifts from donors who prefer to remain anonymous.[50] Kindergarten through 12th grade districts may also meet in closed session to review the contents of the statewide assessment instrument.[51]

Joint powers authorities

The legislative body of a joint powers authority may adopt a policy regarding limitations on disclosure of confidential information obtained in closed session, and may meet in closed session to discuss information that is subject to the policy.[52]

License applicants with criminal records

A closed session is permitted when an applicant who has a criminal record applies for a license or license renewal and the legislative body wishes to discuss whether the applicant is sufficiently rehabilitated to receive the license. The applicant and the applicant's attorney are authorized to attend the closed session meeting. If the body decides to deny the license, the applicant may withdraw the application. If the applicant does not withdraw it, the body must deny the license in public, either immediately or at its next meeting. No information from the closed session can be revealed without consent of the applicant, unless the applicant takes action to challenge the denial.[53]

Public security

Legislative bodies may meet in closed session to discuss matters posing a threat to the security of public buildings; essential public services, including water, sewer, gas, or electric service; or to the public's right of access to public services or facilities over which the legislative body has jurisdiction. Closed session meetings for these purposes must be held with designated security or law enforcement officials, including the Governor, Attorney General, district attorney, agency attorney, sheriff or chief of police, or their deputies or agency security consultant or security operations manager.[54] Action taken in closed session with respect to such public security issues is not reportable action.

Multijurisdictional law enforcement agency

A joint powers agency formed to provide law enforcement services (involving drugs; gangs; sex crimes; firearms trafficking; felony possession of a firearm; high technology, computer, or identity theft; human trafficking; or vehicle theft) to multiple jurisdictions may hold closed sessions to discuss case records of an ongoing criminal investigation, to hear testimony from persons involved in the investigation, and to discuss courses of action in particular cases.[55]

The exception applies to the legislative body of the joint powers agency and to any body advisory to it. The purpose is to prevent impairment of investigations, to protect witnesses and informants, and to permit discussion of effective courses of action.[56]

Hospital peer review and trade secrets

Two specific kinds of closed sessions are allowed for district hospitals and municipal hospitals under other provisions of law:[57]

1. A meeting to hear reports of hospital medical audit or quality assurance committees or for related deliberations. However, an applicant or medical staff member whose staff privileges are the direct subject of a hearing may request a public hearing.
2. A meeting to discuss "reports involving trade secrets" — provided no action is taken.

A "trade secret" is defined as information that is not generally known to the public or competitors and that (1) "derives independent economic value, actual or potential" by virtue of its restricted knowledge; (2) is necessary to initiate a new hospital service or program or facility; and (3) would, if prematurely disclosed, create a substantial probability of depriving the hospital of a substantial economic benefit.

The provision prohibits use of closed sessions to discuss transitions in ownership or management, or the district's dissolution.[58]

Other legislative bases for closed session

Since any closed session meeting of a legislative body must be authorized by the Legislature, it is important to review the Brown Act carefully to determine if there is a provision that authorizes a closed session for a particular subject matter. There are some less frequently encountered topics that are authorized to be discussed by a legislative body in closed session under the Brown Act, including a response to a confidential final draft audit report from the Bureau of State Audits,[59] consideration of the purchase or sale of particular pension fund investments by a legislative body of a local agency that invests pension funds,[60] hearing a charge or complaint from a member enrolled in a health plan by a legislative body of a local agency that provides Medi-Cal services,[61] discussions by a county board of supervisors that governs a health plan licensed pursuant to the Knox-Keene Health Care Services Plan Act related to trade secrets or contract negotiations concerning rates of payment,[62] and discussions by an insurance pooling joint powers agency related to a claim filed against, or liability of, the agency or a member of the agency.[63]

PRACTICE TIP: Meetings are either open or closed. There is nothing "in between."[64]

Who may attend closed sessions

Meetings of a legislative body are either fully open or fully closed; there is nothing in between. Therefore, local agency officials and employees must pay particular attention to the authorized attendees for the particular type of closed session. As summarized above, the authorized attendees may differ based on the topic of the closed session. Closed sessions may involve only the members of the legislative body and only agency counsel, management and support staff, and consultants necessary for consideration of the matter that is the subject of closed session, with very limited exceptions for adversaries or witnesses with official roles in particular types of hearings (e.g., personnel disciplinary hearings and license hearings). In any case, individuals who do not have an official or essential role in the closed session subject matters must be excluded from closed sessions.[65]

Q. May the lawyer for someone suing the agency attend a closed session in order to explain to the legislative body why it should accept a settlement offer?

A. *No, attendance in closed sessions is reserved exclusively for the agency's advisors.*

The confidentiality of closed session discussions

The Brown Act explicitly prohibits the unauthorized disclosure of confidential information acquired in a closed session by any person present, and offers various remedies to address breaches of confidentiality.[66] It is incumbent upon all those attending lawful closed sessions to protect the confidentiality of those discussions. One court has held that members of a legislative body cannot be compelled to divulge the content of closed session discussions through the discovery process.[67] Only the legislative body acting as a body may agree to divulge confidential closed session information. With regard to attorney-client privileged communications, the entire body is the holder of the privilege, and only the entire body can decide to waive the privilege.[68]

PRACTICE TIP: There is a strong interest in protecting the confidentiality of proper and lawful closed sessions.

Before adoption of the Brown Act provision specifically prohibiting disclosure of closed session communications, agency attorneys and the Attorney General long opined that officials have a fiduciary duty to protect the confidentiality of closed session discussions. The Attorney General issued an opinion that it is "improper" for officials to disclose information regarding pending litigation that was received during a closed session,[69] though the Attorney General has also concluded that a local agency is preempted from adopting an ordinance criminalizing public disclosure of closed session discussions.[70] In any event, in 2002, the Brown Act was amended to prescribe particular remedies for breaches of confidentiality. These remedies include injunctive relief and, if the breach is a willful disclosure of confidential information, disciplinary action against an employee and referral of a member of the legislative body to the grand jury.[71]

The duty of maintaining confidentiality, of course, must give way to the responsibility to disclose improper matters or discussions that may come up in closed sessions. In recognition of this public policy, under the Brown Act, a local agency may not penalize a disclosure of information learned during a closed session if the disclosure (1) is made in confidence to the district attorney or the grand jury due to a perceived violation of law; (2) is an expression of opinion concerning the propriety or legality of actions taken in closed session, including disclosure of the nature and extent of the illegal action; or (3) is information that is not confidential.[72]

The interplay between these possible sanctions and an official's First Amendment rights is complex and beyond the scope of this guide. Suffice it to say that this is a matter of great sensitivity and controversy.

> **"I want the press to know that I voted in closed session against filing the eminent domain action," said Council Member Chang.**
>
> **"Don't settle too soon," reveals Council Member Watson to the property owner, over coffee. "The city's offer coming your way is not our bottom line."**
>
> *The first comment to the press may be appropriate if it is a part of an action taken by the city council in closed session that must be reported publicly.[73] The second comment to the property owner is not. Disclosure of confidential information acquired in closed session is expressly prohibited and harmful to the agency.*

ENDNOTES

1 Cal. Gov. Code, § 54962.

2 Cal. Const. , Art. 1, § 3.

3 61 Ops.Cal.Atty.Gen. 220 (1978); but see Cal. Gov. Code, § 54957.8 (multijurisdictional law enforcement agencies are authorized to meet in closed session to discuss the case records of ongoing criminal investigations and other related matters).

4 Cal. Gov. Code, § 54957.1.

5 Cal. Gov. Code, § 54954.5.

6 Cal. Gov. Code, § 54954.2.

7 Cal. Gov. Code, § 54954.5.

8 Cal. Gov. Code, §§ 54956.9, 54957.7.

9 Cal. Gov. Code, § 54957.1, subd. (a).

10 Cal. Gov. Code, § 54957.1, subd. (b).

11 Cal. Gov. Code, § 54957.2.

12 *Hamilton v. Town of Los Gatos* (1989) 213 Cal.App.3d 1050; 2 Cal. Code Regs. § 18707.

13 But see *Roberts v. City of Palmdale* (1993) 5 Cal.4th 363 (protection of the attorney-client privilege alone cannot by itself be the reason for a closed session).

14 Cal. Gov. Code, § 54956.9; *Shapiro v. Board of Directors of Center City Development Corp.* (2005) 134 Cal.App.4th 170 (agency must be a party to the litigation).

15 82 Ops.Cal.Atty.Gen. 29 (1999).

16 *Page v. Miracosta Community College District* (2009) 180 Cal.App.4th 471.

17 *"The Brown Act,"* California Attorney General (2003), p. 40.

18 Cal. Gov. Code, § 54956.9, subd. (g).

19 See e.g., Avco Community Developers, Inc. v. South Coast Regional Com. (1976) 17 Cal.3d 785; Trancas Property Owners Assn. v. City of Malibu (2006) 138 Cal.App.4th 172.

20 *Trancas Property Owners Assn. v. City of Malibu* (2006) 138 Cal.App.4th 172.

21 Cal. Gov. Code, § 54956.9, subd. (e).

22 Fowler v. City of Lafayette (2020) 46 Cal.App.5th 360.

23 Cal. Gov. Code, § 54957.1.

24 Cal. Gov. Code, § 54956.8.

25 *Shapiro v. San Diego City Council* (2002) 96 Cal.App.4th 904. See also 93 Ops.Cal.Atty.Gen. 51 (2010) (redevelopment agency may not convene a closed session to discuss rehabilitation loan for a property already subleased to a loan recipient, even if the loan incorporates some of the sublease terms and includes an operating covenant governing the property); 94 Ops.Cal.Atty.Gen. 82 (2011) (real estate closed session may address form, manner, and timing of consideration and other items that cannot be disclosed without revealing price and terms).

26 73 Ops.Cal.Atty.Gen. 1 (1990).

27 Cal. Gov. Code, §§ 54956.8, 54954.5, subd. (b).

28 Cal. Gov. Code, § 54957.1, subd. (a)(1).

29 Cal. Gov. Code, § 54957, subd. (b).

30 63 Ops.Cal.Atty.Gen. 153 (1980); but see *Duvall v. Board of Trustees* (2000) 93 Cal.App.4th 902 (board may discuss personnel evaluation criteria, process and other preliminary matters in closed session but only if related to the evaluation of a particular employee).

31 *Gillespie v. San Francisco Public Library Commission* (1998) 67 Cal.App.4th 1165; 85 Ops.Cal.Atty.Gen. 77 (2002).

32 *Gillespie v. San Francisco Public Library Commission* (1998) 67 Cal.App.4th 1165; 80 Ops.Cal.Atty.Gen. 308 (1997). Interviews of candidates to fill a vacant staff position conducted by a temporary committee appointed by the governing body may be done in closed session.

33 Cal. Gov. Code, § 54957, subd. (b)(3).

34 88 Ops.Cal.Atty.Gen. 16 (2005).

35 *Morrison v. Housing Authority of the City of Los Angeles* (2003) 107 Cal.App.4th 860.

36 Cal. Gov. Code, § 54957, subd. (b); but see *Bollinger v. San Diego Civil Service Commission* (1999) 71 Cal.App.4th 568 (notice not required for closed session deliberations regarding complaints or charges when there was a public evidentiary hearing prior to closed session).

37 78 Ops.Cal.Atty.Gen. 218 (1995); *Bell v. Vista Unified School District* (2000) 82 Cal.App.4th 672; *Furtado v. Sierra Community College* (1998) 68 Cal.App.4th 876; *Fischer v. Los Angeles Unified School District* (1999) 70 Cal.App.4th 87.

38 *Moreno v. City of King* (2005) 127 Cal.App.4th 17.

39 Cal. Gov. Code, § 54957.

40 *Gillespie v. San Francisco Public Library Commission* (1998) 67 Cal.App.4th 1165.

41 Cal. Gov. Code, § 54957.1, subd. (a)(5).

42 Cal. Gov. Code, § 54957.6.

43 Cal. Gov. Code, § 54957.6, subd. (b); see also 98 Ops.Cal.Atty.Gen. 41 (2015) (a project labor agreement between a community college district and workers hired by contractors or subcontractors is not a proper subject of closed session for labor negotiations because the workers are not "employees" of the district).

44 Cal. Gov. Code, § 54957.6; 51 Ops.Cal.Atty.Gen. 201 (1968).

45 Cal. Gov. Code, § 54957.1, subd. (a)(6).

46 Cal. Gov. Code, § 3549.1.

47 Cal. Gov. Code, § 3540.

48 Cal. Gov. Code, § 3547.

49 Cal. Edu. Code, § 48918; but see *Rim of the World Unified School District v. Superior Court* (2003) 104 Cal.App.4th 1393 (Section 48918 preempted by the Federal Family Educational Right and Privacy Act in regard to expulsion proceedings).

50 Cal. Edu. Code, § 72122.

51 Cal. Edu. Code, § 60617.

52 Cal. Gov. Code, § 54956.96.

53 Cal. Gov. Code, § 54956.7.

54 Cal. Gov. Code, § 54957.

55 *McKee v. Los Angeles Interagency Metropolitan Police Apprehension Crime Task Force* (2005) 134 Cal. App.4th 354.

56 Cal. Gov. Code, § 54957.8.

57 Cal. Gov. Code, § 54962.

58 Cal. Health and Saf. Code, § 32106.

59 Cal. Gov. Code, § 54956.75.

60 Cal. Gov. Code, § 54956.81.

61 Cal. Gov. Code, § 54956.86.

62 Cal. Gov. Code, § 54956.87.

63 Cal. Gov. Code, § 54956.95.

64 Ops.Cal.Atty.Gen. 34 (1965)

65 82 Ops.Cal.Atty.Gen. 29 (1999); 2022 WL 1814322, 105 Ops. Cal.Atty.Gen. 89 (2022).

66 Cal. Gov. Code, § 54963.

67 *Kleitman v. Superior Court* (1999) 74 Cal.App.4th 324, 327. See also Cal. Gov. Code, § 54963.

68 *Roberts v. City of Palmdale* (1993) 5 Cal.4th 363.

69 80 Ops.Cal.Atty.Gen. 231 (1997).

70 76 Ops.Cal.Atty.Gen. 289 (1993).

71 Cal. Gov. Code, § 54963.

72 Cal. Gov. Code, § 54963.

73 Cal. Gov. Code, § 54957.1.

Chapter 6

REMEDIES

Chapter 6

REMEDIES

A violation of the Brown Act can lead to invalidation of the agency's action, payment of a challenger's attorney fees, public embarrassment, and even criminal prosecution. As explained below, a legislative body often has an opportunity to correct a violation prior to the filing of a lawsuit. Compliance ultimately results from regular training and a good measure of self-regulation on the part of public officials. This chapter discusses the remedies available to the public when that self-regulation is ineffective.

Invalidation of action taken

Any interested person, including the district attorney, may seek to invalidate certain actions of a legislative body on the grounds that they violate the Brown Act.[1] The following actions cannot be invalidated:

- Those taken in substantial compliance with the law. No Brown Act violation is found when the given notice substantially complies with the Brown Act, even when the notice erroneously cites the wrong Brown Act section but adequately advises the public that the legislative body will meet with legal counsel to discuss potential litigation in closed session.[2]
- Those involving the sale or issuance of notes, bonds, or other indebtedness, or any related contracts or agreements.[3]
- Those creating a contractual obligation, including a contract awarded by competitive bid for other than compensation for professional services, upon which a party has in good faith relied to its detriment.[4]
- Those connected with the collection of any tax.[5]
- Those in which the complaining party had actual notice at least 72 hours prior to the regular meeting or 24 hours prior to the special meeting, as the case may be, at which the action is taken.[6]

Before filing a court action seeking invalidation, a person who believes that a violation has occurred must send a written "cure or correct" demand to the legislative body. This demand must clearly describe the challenged action and the nature of the claimed violation. This demand must be sent within 90 days of the alleged violation, or within 30 days if the action was taken in open session but in violation of Section 54954.2, which requires (subject to specific exceptions) that a legislative body may act only on items posted on the agenda.[7] The legislative body then has up to 30 days to cure and correct its action.[8] The purpose of this requirement is to offer the body an opportunity to consider whether a violation has occurred and, if so, consider correcting the action to avoid the costs of litigation. If the legislative body does not act, any lawsuit must be filed within the next 15 days.[9]

Although just about anyone has standing to bring an action for invalidation,[10] the challenger must show prejudice as a result of the alleged violation.[11] An action to invalidate fails to state a cause of action against the agency if the body deliberated but did not take an action.[12]

Declaratory relief to determine whether past action violated the act

Any interested person, including the district attorney, may file a civil action to determine whether a past action of a legislative body constitutes a violation of the Brown Act and is subject to a mandamus, injunction, or declaratory relief action.[13] Before filing an action, the interested person must, within nine months of the alleged violation of the Brown Act, submit a "cease and desist" letter to the legislative body clearly describing the past action and the nature of the alleged violation.[14] The legislative body has 30 days after receipt of the letter to provide an unconditional commitment to cease and desist from the past action.[15] If the body fails to take any action within the 30-day period or takes an action other than an unconditional commitment, the interested person has 60 days to file an action.[16]

The legislative body's unconditional commitment must be approved at a regular or special meeting as a separate item of business and not on the consent calendar.[17] The unconditional commitment must be substantially in the form set forth in the Brown Act.[18] No legal action may thereafter be commenced regarding the past action.[19] However, an action of the legislative body in violation of its unconditional commitment constitutes an independent violation of the Brown Act, and a legal action consequently may be commenced without following the procedural requirements for challenging past actions.[20]

The legislative body may rescind its prior unconditional commitment by a majority vote of its membership at a regular meeting as a separate item of business not on the consent calendar. At least 30 days written notice of the intended rescission must be given to each person to whom the unconditional commitment was made and to the district attorney. Upon rescission, any interested person may commence a legal action regarding the past actions without following the procedural requirements for challenging past actions.[21]

Civil action to prevent future violations

The district attorney or any interested person can file a civil action asking the court to do the following:

- Stop or prevent violations or threatened violations of the Brown Act by members of the legislative body.
- Determine the applicability of the Brown Act to actions or threatened future action of the legislative body.
- Determine whether any rule or action by the legislative body to penalize or otherwise discourage the expression of one or more of its members is valid under state or federal law.
- Compel the legislative body to audio-record its closed sessions.[22]

PRACTICE TIP: A lawsuit to invalidate must be preceded by a demand to cure and correct the challenged action in order to give the legislative body an opportunity to consider its options. The Brown Act does not specify how to cure or correct a violation; the best method is to rescind the action being complained of and start over, or reaffirm the action if the local agency relied on the action and rescinding the action would prejudice the local agency.

It is not necessary for a challenger to prove a past pattern or practice of violations by the local agency in order to obtain injunctive relief. A court may presume when issuing an injunction that a single violation will continue in the future when the public agency refuses to admit to the alleged violation or to renounce or curtail the practice.[23] A court may not compel elected officials to disclose their recollections of what transpired in a closed session.[24]

Upon finding a violation of the Brown Act pertaining to closed sessions, a court may compel the legislative body to audio record its future closed sessions.[25] In a subsequent lawsuit to enforce the Brown Act alleging a violation occurring in closed session, a court may upon motion of the plaintiff review the audio recording if it finds there is good cause to think the Brown Act has been violated and make public a certified transcript of the relevant portion of the closed session recording.[26]

Costs and attorney's fees

A plaintiff who successfully invalidates an action taken in violation of the Brown Act or who successfully enforces one of the Brown Act's civil remedies may seek court costs and reasonable attorney's fees. Courts have held that attorney's fees must be awarded to a successful plaintiff unless special circumstances exist that would make a fee award against the public agency unjust.[27] When evaluating how to respond to assertions that the Brown Act has been violated, elected officials and their lawyers should assume that attorney's fees will be awarded against the agency if a violation of the Brown Act is proven.

An attorney's fee award may only be directed against the local agency and not the individual members of the legislative body. If the local agency prevails, it may be awarded court costs and attorney's fees if the court finds the lawsuit was clearly frivolous and lacking in merit.[28]

Misdemeanor penalties

A violation of the Brown Act is a misdemeanor if (1) a member of the legislative body attends a meeting where action is taken in violation of the Brown Act, and (2) the member intends to deprive the public of information that the member knows or has reason to know the public is entitled to.[29]

PRACTICE TIP: Attorney's fees will likely be awarded if a violation of the Brown Act is proven.

"Action taken" is not only an actual vote but also a collective decision, commitment, or promise by a majority of the legislative body to make a positive or negative decision.[30] If the meeting involves mere deliberation without the taking of action, there can be no misdemeanor penalty.

A violation occurs for a tentative as well as final decision.[31] In fact, criminal liability is triggered by a member's participation in a meeting in violation of the Brown Act — not whether that member has voted with the majority or minority, or has voted at all.

As with other misdemeanors, the filing of a complaint is up to the district attorney. Although criminal prosecutions of the Brown Act are uncommon, district attorneys in some counties aggressively monitor public agencies' adherence to the requirements of the law.

Some attorneys and district attorneys take the position that a Brown Act violation may be pursued criminally under Government Code section 1222.[32] There is no case law to support this view. If anything, the existence of an express criminal remedy within the Brown Act would suggest otherwise.[33]

Voluntary resolution

Successful enforcement actions for violations of the Brown Act can be costly to local agencies. The district attorney or even the grand jury occasionally becomes involved. Publicity surrounding alleged violations of the Brown Act can result in a loss of confidence by constituents in the legislative body and its members. It is in the agency's interest to consider re-noticing and rehearing, rather than litigating, an item of significant public interest, particularly when there is any doubt about whether the open meeting requirements were satisfied.

Overall, agencies that regularly train their officials and pay close attention to the requirements of the Brown Act will have little reason to worry about enforcement.

Photo credit: Courtesy of the City of West Hollywood. Photo by Jon Viscott.

ENDNOTES

1 Cal. Gov. Code, § 54960.1. Invalidation is limited to actions that violate the following sections of the Brown Act: section 54953 (the basic open meeting provision), sections 54954.2 and 54954.5 (notice and agenda requirements for regular meetings and closed sessions), 54954.6 (tax hearings), 54956 (special meetings), and 54596.5 (emergency situations). Violations of sections not listed above cannot give rise to invalidation actions, but they are subject to the other remedies listed in section 54960.1.

2 *Castaic Lake Water Agency v. Newhall County Water District* (2015) 238 Cal.App.4th 1196, 1198.

3 Cal. Gov. Code, § 54960.1(d)(2).

4 Cal. Gov. Code, § 54960.1(d)(3).

5 Cal. Gov. Code, § 54960.1(d)(4).

6 Cal. Gov. Code, § 54960.1(d)(5).

7 Cal. Gov. Code, § 54960.1, subds. (b), (c)(1).

8 Cal. Gov. Code, § 54960.1, subd. (c)(2).

9 Cal. Gov. Code, § 54960.1, subd. (c)(4).

10 *McKee v. Orange Unified School District* (2003) 110 Cal.App.4th 1310, 1318-1319.

11 *Cohan v. City of Thousand Oaks* (1994) 30 Cal.App.4th 547, 556, 561.

12 *Boyle v. City of Redondo Beach* (1999) 70 Cal.App.4th 1109, 1116-17, 1118.

13 Cal. Gov. Code, § 54960.2, subd. (a); Senate Bill No. 1003, Section 4 (2011-2012 Session).

14 Cal. Gov. Code, § 54960.2, subds. (a)(1), (2).

15 The legislative body may provide an unconditional commitment after the 30-day period. If the commitment is made after the 30-day period, however, the plaintiff is entitled to attorneys' fees and costs. Cal. Gov. Code, § 54960.2, subd. (b).

16 Cal. Gov. Code, § 54960.2, subd. (a)(4).

17 Cal. Gov. Code, § 54960.2, subd. (c)(2).

18 Cal. Gov. Code, § 54960.2, subd. (c)(1).

19 Cal. Gov. Code, § 54960.2, subd. (c)(3).

20 Cal. Gov. Code, § 54960.2, subd. (d).

21 Cal. Gov. Code, § 54960.2, subd. (e).

22 Cal. Gov. Code, § 54960, subd. (a).

23 *California Alliance for Utility Safety and Education (CAUSE) v. City of San Diego* (1997) 56 Cal.App.4th 1024; *Common Cause v. Stirling* (1983) 147 Cal.App.3d 518, 524; *Accord Shapiro v. San Diego City Council* (2002) 96 Cal.App.4th 904, 916 and fn.6.

24 *Kleitman v. Superior Court* (1999) 74 Cal.App.4th 324, 334-36.

25 Cal. Gov. Code, § 54960, subd. (b).

26 Cal. Gov. Code, § 54960, subd. (c).

27 *Los Angeles Times Communications, LLC v. Los Angeles County Board of Supervisors* (2003) 112 Cal. App.4th 1313, 1327-29 and cases cited therein.

28 Cal. Gov. Code, § 54960.5.

29 Cal. Gov. Code, § 54959. A misdemeanor is punishable by a fine of up to $1,000 or up to six months in county jail, or both (California Penal Code section 19). Employees of the agency who participate in violations of the Brown Act cannot be punished criminally under section 54959. However, at least one district attorney instituted criminal action against employees based on the theory that they criminally conspired with the members of the legislative body to commit a crime under section 54949.

30 Cal. Gov. Code, § 54952.6.

31 61 Ops.Cal.Atty.Gen. 283 (1978).

32 California Government Code section 1222 provides that "[e]very wilful omission to perform any duty enjoined by law upon any public officer, or person holding any public trust or employment, where no special provision is made for the punishment of such delinquency, is punishable as a misdemeanor."

33 The principle of statutory construction known as *expressio unius est exclusio alterius* supports the view that section 54959 is the exclusive basis for criminal liability under the Brown Act.

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