

## ORDINANCE NO. 1826

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA APPROVING PLANNED UNIT DEVELOPMENT PRECISE PLAN 20-01 FOR THE CONSTRUCTION OF A THREE-UNIT RESIDENTIAL CONDOMINIUM COMPLEX AT 508 SOUTH WALNUT STREET, MAKING THE APPROPRIATE FINDINGS, AS PER THE APPROVED PLANS AND SUBJECT TO CONDITIONS

The City Council of the City of La Habra does hereby resolve as follows:

Section 1. The City Council does hereby find and determine that:

- a. Ajit Soma filed an application requesting approval of Planned Unit Development Precise Plan 20-01 for the construction of a three-unit residential condominium complex at 508 South Walnut Street.
- b. This project was reviewed pursuant to the guidelines of the California Environmental Quality Act (CEQA) and determined to be Categorically Exempt pursuant to Section 15303(b), Class 3: "New Construction or Conversion of Small Structures" of the CEQA Guidelines. The project consists of the construction of three residential units thereby not exceeding the maximum of six units permitted under the categorical exemption.
- c. The Applicant's proposal has been reviewed pursuant to the requirements of the City's National Pollutant Discharge Elimination System (NPDES) Municipal Permit, the Local Implementation Plan (LIP), and the Model Water Quality Management Plan (WQMP), Section 7.2. Since the proposal constituted the disturbance of more than 1,000 square feet of soil, a Non-Priority WQMP was required. A Preliminary Non-Priority WQMP has been reviewed and approved. All work undertaken will be required to incorporate Best Management Practices (BMPs) as required by the WQMP.
- d. The Planning Commission held a duly noticed public hearing on October 26, 2020, to consider the Applicant's request for Planned Unit Development Precise Plan 20-01. The Planning Commission, after considering all written and oral evidence offered including the staff report and all attachments, recommends that the City Council approve the request.
- e. The City Council held a duly noticed public hearing on December 7, 2020 to consider the Applicant's request for Planned Unit Development Precise Plan 20-01. The City Council, after considering all the written and oral evidence offered including the staff report, all attachments, and the Planning Commission's recommendation, approves the request.

Section 2. The City Council further finds and determines that:

- a. The Applicant has succeeded in meeting their burden of providing evidence to support the granting of the Planned Unit Development application under Chapter 18.52 of the La Habra Municipal Code.
- b. The City Council hereby makes the following required findings of the Planned Unit Development application.
  1. That the location, design and proposed uses are compatible with the character of existing development in the vicinity.

The proposed site layout has taken into consideration the surrounding improvements and minimizes impacts to the proposed residences. This is done by setting the units along the southern property line away from the northern property boundary to provide separation between any future residential building(s) on the adjacent property. Also, masonry walls will buffer the site from the adjacent properties.

The project has been designed to blend in with the adjacent neighborhood. For instance, the western (front) unit will face onto Walnut Street, similar to the residences to the north. The project architectural design is complementary to the multiple-family residential project located to the south-west and the proposed building is similar in size and scale. Therefore, the construction of a condominium complex will be compatible with the surrounding improvements and character of the neighborhood.

2. That the plan will produce, internally, an environment of stable and desirable character, and will not tend to cause any traffic congestion on surrounding or access streets.

The Environmental Impact Report prepared in 2014 for the update to the City's General Plan reviewed traffic impacts for existing and proposed land use designations citywide. The study concluded that the existing street system had capacity to service projects that are built to or below the approved densities. The approved density for the site is up to 24 units to the acre and the project is being built to 14.3 units to the acre. Therefore, no adverse impacts are anticipated.

3. That all required applications for the proposed use have been processed, including any Conditional Use Permit applications.

The Applicant has filed all the required applications for this project.

4. That the standards of development applicable to the Planned Unit Development are clearly designated in the proposed Planned Unit Development ordinance or plans approved there under and/or supplementary text material.

Chapter 18.52 “Planned Unit Development Overlay Zone” does not provide specific development standards however provides flexibility by the Planning Commission or City Council from strict enforcement of the underlying zoning designation for the purpose of approving a development that is in harmony with the surrounding neighborhood. All of the proposed design standards are clearly depicted on the plans.

Per the R-4 development standards, the front of the building is required to maintain a 15-foot front setback. As proposed, a 5-foot wide covered front patio is shown within the front setback, facing Walnut Street. This patio cover, which provides no usable floor area, breaks up the massing of the building and achieves a design goal whereby the front unit engages the street.

Secondly, the R-4 standards require that the third story of buildings maintain a 10-foot side setback. In this case, the side setback along the south property line ranges in width from five feet to twelve feet. However, only small portions of the building located in the middle encroach into this space. To indent portions of the third floor to meet the 10-foot setback requirement would detract from the high-quality design of the structure. Additionally, the stepping of the building setbacks meets the intent of the code by breaking up the massing of the building.

Section 18.52.070 of the LHMC allows for modification of development standards. In this case, the aforementioned deviations can be supported.

5. That the proposed development will be well integrated into its setting.

The proposed building design and layout has taken into consideration the surrounding improvements. There are other apartments and condominium projects adjacent to and near the subject site that are improved with two-story and three-story structures. While the proposed project will be taller than the single-family residential buildings to the southeast, the applicant will construct a 6-foot tall wall to provide a buffer. Additionally, the drainage channel between the project and the aforementioned residences provides a wide separation of 70 feet or more. Overall, the project is compatible with the neighborhood regarding building

height, architecture, and density. Therefore, the proposed project will be well integrated into its setting.

6. That provision is made for both public and private open space, at least equivalent to that required in the primary zone.

Chapter 18.26 of the LHMC requires the development to provide a total of 1,000 square feet of usable yard area that includes 30% of the units having private open space (patio or balcony) and a minimum common open space of 400 square feet. The Applicant will provide a total of 1,230 square feet of usable yard area that includes 66% of the units having private open space and common open space totaling 467 square feet. Additionally, the Applicant will be required to pay park fees (Quimby Act) which is estimated to be \$31,270 that will go towards public park development elsewhere in the City.

7. That suitable provision is made, where appropriate, for the protection and maintenance of private areas reserved for common use.

As specified above, the project will provide 467 square feet of common usable yard area that will be improved with patio cover, barbeque, and a seating area. The protection and maintenance of the area is made possible through the enforcement of Conditions, Covenants and Restrictions (CC&Rs), which is a condition of approval for the project. Also, the conditions of approval for the PUD require the development of the project to be in substantial conformance with the final plans as approved by the Planning Commission and City Council.

8. That the proposed development does not negatively impact the city's ability to provide services over the short and long term to city residents because the projected cost of providing city services to the property outweighs the economic benefits of the project to the city.

An economic analysis was prepared for the project. The analysis compared the existing undeveloped valuation of the land upon purchase in December 2018 and build-out of the whole site with the three-unit residential project. The study concluded that the residential development would generate \$10,550.76 in property tax annually, of which, \$1,901.00 will go to the City. The cost to the City to service the site is estimated to be \$670.00 per year, therefore the project will pay for anticipated City services to the site.

The construction of the three-unit residential project is estimated to generate one-time fees of approximately \$70,575. Additionally, the project would generate approximately \$31,270 in park fees.

Staff analyzed response times regarding public safety and whether the site would be adequately served by utilities (water, trash, sewer, gas, and power) as well as parks. The site is adequately served by the La Habra Police Department, the Los Angeles County Fire Department, the City of La Habra (water, trash, and sewer), and parks. Therefore, it is not anticipated that the project would negatively impact the City's ability to provide services to City residents.

9. That the proposed project complies with all requirements of the California Environmental Quality Act.

The project was reviewed pursuant to the guidelines of the California Environmental Quality Act (CEQA) and determined to be Categorical Exempt pursuant to Section 15303(b), Class 3: "New Construction or Conversion of Small Structures" of the CEQA Guidelines. The project consists of the construction of three residential units which does not exceed the maximum of six units permitted under the categorical exemption.

10. That there is reasonable assurance that the applicant intends to and will be able to proceed with the execution of the project without undue delay.

The Applicant has indicated that they will submit construction drawings for building plan check immediately upon completion of the entitlement process.

11. That there is substantial compliance with the spirit and intent of this title.

As noted above, the proposed project is in substantial compliance with all of the applicable standards of the underlying R-4 "Multiple Family Dwelling" Zone and Planned Unit Development Overlay Zone as per the plans and supporting studies.

Section 3. This action is subject to the following conditions:

General conditions:

Standard Condition 1.1 CODE COMPLIANCE

The Applicant/developer shall comply with all applicable City of La Habra Municipal Codes and Ordinances.

## Standard Condition 1.2 BUILDING PERMITS

The Applicant/developer shall comply with all the applicable California/La Habra Building Code requirements and obtain all required permits from the Chief Building Official. Construction shall comply with the California/La Habra Building Code (or Residential Code), California/La Habra Plumbing Code, California/La Habra Mechanical Code, California/La Habra Electrical Code, California/La Habra Energy Code, and California/La Habra Green Building Standards Code, as applicable.

## Standard Condition 1.3 GRAFFITI ABATEMENT (Modified)

The Applicant/developer shall maintain the property in a clean and orderly condition at all times and remove any graffiti from the site within forty-eight (48) hours of its discovery in matching colors to the existing improvements. This shall include the exterior of the perimeter walls for the project.

## Standard Condition 1.4 LA COUNTY FIRE DEPARTMENT (Modified)

The Applicant/developer shall comply with the Los Angeles County/La Habra Fire Code and Fire Department requirements, as applicable. Additional Los Angeles County Fire Department requirements may be determined during the building plan check.

## Standard Condition 1.5 MINOR MODIFICATIONS

The Director of Community and Economic Development or designee may approve minor modifications through the Administrative Adjustment process to the conditions of approval so long as the intent of the Planning Commission or City Council is maintained.

## Standard Condition 1.6 PLANS (Modified)

This approval is for those plans date stamped July 22, 2020 and which are those plans reviewed and approved by the City of La Habra Planning Commission at its meeting of October 26, 2020 and the City Council meeting of December 7, 2020. A copy of said plans shall be maintained in the files of the City of La Habra Planning Division. The project shall be developed and maintained in substantial conformance with said plans, except as otherwise specified in these conditions of approval.

## Standard Condition 1.7 COMPLIANCE

The failure to comply with any of these conditions of approval by the property owner/business operator shall be grounds for rehearing and consideration by the Planning Commission for possible revocation of Planned Unit Development 20-01.

## Standard Condition 1.8 VIOLATION

In the event that the Applicant/developer violates or fails to comply with any of the conditions of approval of this permit, the City may take measures to cure such violations,

including but not limited to, administrative citation and full reimbursement of the City for its costs and expenses, including but not limited to, attorney's fees, in undertaking such corrective action. Reimbursement of enforcement costs shall constitute a civil debt and may be collected by any means permitted by law. In the event that violations of this permit occur, the City shall refrain from issuing further permits, licenses or other approvals until such violations have been fully remedied.

#### Standard Condition 1.9 LANDSCAPING MAINTENANCE

The Applicant/developer shall maintain landscaping in a healthy and well-kept manner at all times including the public right-of-way. Dead or damaged landscape material/vegetation shall be replaced immediately per the approved landscape plan. The irrigation system shall be maintained at all times. Trees shall be permitted to grow to their maximum height.

#### Standard Condition 1.10 BUILDING REPAINTING

The Applicant/developer shall maintain the buildings in good condition at all times and shall repaint the approved buildings and accoutrements every eight (8) years at a minimum. The Director of Community and Economic Development or designee may require more frequent painting if the improvements are not maintained in good condition.

#### Standard Condition 1.11 PAVEMENT RESURFACING

The Applicant/developer shall re-slurry and re-stripe the driveway and parking areas every five (5) years at a minimum. The Director of Community and Economic Development or designee may require more frequent slurry and re-striping if the parking area is not maintained in good condition.

#### Standard Condition 1.34 GARAGE DOORS

The Applicant/developer shall provide sectional garage doors with automatic openers. The design of the garage doors shall be approved by the Director of Community and Economic Development prior to issuance of building permits.

Prior to the issuance of grading permits:

#### Standard Condition 3.1 EROSION CONTROL PLAN

The Applicant/developer shall submit Erosion Control Plans to be reviewed and approved by the Chief Building Official.

#### Standard Condition 3.3 HYDROLOGY/HYDRAULIC STUDY

The applicant/developer shall provide a complete hydrology and hydraulic study prepared by a qualified engineer to the satisfaction of the City Engineer.

Standard Condition 3.4 SOILS REPORT

The Applicant/developer shall provide a geotechnical investigation report prepared by a qualified engineer to the satisfaction of the Chief Building Official.

Standard Condition 3.5 DESIGN OF DRAINAGE FACILITIES

The Applicant/developer shall design all drainage facilities in such a manner as to imitate the manner in which storm water is presently crossing said propertyline or a drainage acceptance letter shall be obtained from the downstream property owner.

Standard Condition 3.8 PLANS SUBMITTAL

The Applicant/developer shall provide street improvement plans prepared on standard size sheets by a licensed Civil Engineer and be submitted for approval by the City Engineer. Standard plan check and inspection fees shall be paid by the applicant.

Standard Condition 3.9 UTILITY PLANS

The Applicant/developer shall provide all utility plans to be reviewed and approved by the Director of Community and Economic Development or designee and the City Engineer.

Standard Condition 3.11 GRADING

The Applicant/developer shall grade the subject property in accordance with the Grading Ordinance and to the satisfaction of the Chief Building Official. A grading plan shall be submitted by the developer/applicant for review and approval. Surety shall be posted to the satisfaction of the Chief Building Official and the City Attorney guaranteeing completion of grading within the project.

Prior to the issuance of building permits:

Standard Condition 1.23 ON-SITE DRAINAGE

The applicant/developer shall be responsible for the construction of all on-site drainage facilities as required by the City Engineer.

Standard Condition 4.1 CONDITIONS ON CONSTRUCTION PLANS

The Applicant/developer shall include the conditions of approval of this resolution on the construction plans.

Standard Condition 4.2 COVENANTS, CONDITIONS, AND RESTRICTIONS, AND ASSOCIATION BY-LAWS (Modified)

The developer shall submit draft Covenants, Conditions, and Restrictions (CC&Rs) and By-Laws of the Homeowner's Association to the Director of Community and Economic Development and the City Attorney for review and approval which must be approved prior to recordation of the final map. The CC&Rs shall include, but not limited to the following provisions:

- a. The CC&Rs and By-Laws shall hold the City harmless from any damage to any private roadways caused by the normal operation of trash trucks.
- b. The CC&Rs and By-Laws shall include a restriction that requires designated car spaces within the garages to be open and available for the parking of residents motor vehicles at all times. All residents shall be required to park their private vehicles in the two enclosed garage spaces.
- c. The CC&Rs and By-Laws shall include a restriction that prohibits the parking or storage of any type of recreational vehicle anywhere on the property including within the garage, except for loading or unloading.
- d. The CC&Rs and By-Laws shall require that all roads designated as Fire Lanes be monitored and enforced by the Homeowner's Association at all times.
- e. The CC&Rs and By-Laws shall require that the property owners and/or Homeowner's Association maintain all fences/walls in good condition at all times.
- f. The CC&Rs and By-Laws shall require the property owners and/or Homeowner's Association to maintain the building(s) in good condition at all times and shall repaint the approved building(s) and accoutrements every eight (8) years at a minimum to the color scheme approved by the Planning Commission. The Director of Community and Economic Development or designee may require more frequent painting if the improvements are not maintained in good condition.
- g. The CC&Rs and By-Laws shall require that the property owners and/or Homeowner's Association re-slurry and re-stripe the driveway and parking areas every five (5) years at a minimum. The Director of Community and Economic Development or designee may require more frequent actions if the improvements are not maintained in good condition.
- h. The CC&Rs and By-Laws shall require that the property owners and/or Homeowner's Association be responsible for the long-term operations and maintenance of the Treatment Control Best Management Practices (BMPs) and for funding the long-term operation and maintenance of Treatment Control BMPs, contained within the Water Quality Management Plan (WQMP). A copy of said approved WQMP shall be made an attachment or exhibit to the CC&Rs.
- i. The CC&Rs and By-Laws shall include a provision which indicates that the Homeowner's Association will allow governmental personnel access to the property for annual inspections to ensure compliance with the approved WQMP and the National Pollutant Discharge Elimination System Permit.
- j. The CC&Rs and By-Laws shall require that the property owners and/or Homeowner's Association not permit rooms labeled as "media room" or "fitness room" on the approved plans be converted into bedrooms.

- k. The CC&Rs and By-Laws shall include a provision noting that no public street parking permits shall be issued to the residents of this community.
- l. The CC&Rs and By-Laws shall include a provision restricting residents from parking vehicles in designated guest parking spaces.
- m. The CC&Rs and By-Laws shall include a provision requiring the residents to comply with the approved trash collection plan included in the document. In addition, language shall be included that require that the HOA contract for trash collection services.
- n. The CC&Rs and By-Laws shall include a provision that indicates that any amendments to the CC&Rs and By-Laws require approval from the City of La Habra Community and Economic Development Director.
- o. The CC&Rs and By-Laws shall include a provision that the property owners and/or HOA shall maintain the public right of way along Walnut Street from the face of curb to the front property line.
- p. The CC&Rs and By-Laws shall include a provision that the property owners and/or HOA shall maintain all on-site lighting for private roadways and common walkways.
- q. The CC&Rs and By-Laws shall include a provision that the development shall not be gated, as per the Los Angeles County Fire Department.
- r. The CC&Rs and By-Laws shall include a provision that the HOA shall at all times maintain the dimensions of the approved Fire Apparatus Access Roads as originally approved by the Fire Code Official Pursuant to Fire Code 503.2.2.1.
- s. The CC&Rs shall require all trees planted within the development and public right-of-way be maintained and allowed to mature to their full height. Trees shall only be permitted to be removed due to disease or an immediate threat to public safety as determined by the Director of Community and Economic Development and the Director of Public Works.

#### Standard Condition 4.8 WATER SUPPLY AND SEWER FACILITIES

The Applicant/developer shall ensure that the water supply facilities and sewer facilities be designed and constructed to the specifications of the City of La Habra and the Public Works Director with all incidental fees and costs paid by the Applicant/developer.

#### Standard Condition 4.9 PARK DEVELOPMENT FEES

The Applicant/developer shall pay all applicable City of La Habra Park Development Fee to mitigate the potential impacts on local recreational facilities and recreation services as required by Chapter 15.48 "RESIDENTIAL BUILDING FEES" of the La Habra Municipal Code.

#### Standard Condition 4.10 SITE LIGHTING PLAN

The Applicant/developer shall submit a site lighting plan in conformance with City standards for review and approval by the Chief Building Official and the Director of Community and Economic Development or designee prior to the issuance of building permits. The plan shall

ensure that all exterior lighting (i.e., parking areas, building areas, and entries) shall employ illumination in a manner that meets the approval of the Chief Building Official and the Director of Community and Economic Development or designee before Building Permits are issued. All light fixtures shall be designed and located in a manner that does not allow spill-over onto adjacent properties. All outdoor fixtures shall be compatible with the Architectural theme of the project.

#### Standard Condition 4.14 PARKING LOT STRUCTURAL SECTIONS

The applicant/developer shall provide parking lot structural sections, which shall be based on recommendations of a soils engineer, to be approved by the City Engineer.

#### Standard Condition 4.15 SERVICE TRUCK ACCESS

The applicant/developer shall provide access for service trucks across prepared surfaces suitable for continuous heavy truck usage, as determined by the City Engineer.

#### Standard Condition 4.16 STREET IMPROVEMENTS

The Applicant/developer shall be responsible for rehabilitating the roadway pavement and parkway improvements between the street centerline to the right-of-way line which includes, but is not limited to, sidewalk, curb and gutter and street paving.

#### Standard Condition 4.17 UNDERGROUND UTILITIES

The Applicant/developer shall provide a plan to the City Engineer showing that all on-site utilities within the project be installed underground in accordance with current utility practices. All on-site utilities shall be installed prior to any on-site paving. All existing aerial utilities on the property shall be removed and/or placed underground including but not limited to electric lines, communication and cable TV lines and other overhead wires. The City Engineer shall have the right to comment, modify, approve or disapprove the utility plan for each utility.

#### Standard Condition 4.18 WATER AND/OR SEWER SERVICE

The Applicant/developer shall submit development plans of the property to the Public Works Department so that the Utility Authority can establish the Terms and Conditions for Water and/or Sewer Service. The sewer and water facility will be maintained by the applicant/developer.

#### Standard Condition 4.19 ENHANCED CONCRETE DRIVEWAYS

The Applicant/developer shall install decorative enhanced concrete, such as stamped and colored, at the entrances into the development within the street front setback to the satisfaction of the Director of Community and Economic Development or designee, prior to the issuance of a Certificate of Occupancy. A durable clear sealer shall be applied to this area to preserve the color and resist marking.

#### Standard Condition 4.22 LANDSCAPING PLANS (Modified)

The Applicant/developer shall submit for review and approval a detailed landscape and irrigation plan prepared by a licensed landscape architect to the Director of Community and Economic Development or designee and Public Works. The plan shall include the use of a separate connection, backflow preventer and connection for future reclaimed water service. At a minimum, tree size shall be 24 inch box and shrubs shall be 5 gallon size. The applicant shall also plant and maintain vining plants on the exterior (south side) of the southern perimeter wall and the southern side of the northern perimeter wall to deter graffiti. Additionally, trees shall be planted along the southern property line to provide a buffer, to the satisfaction of the Director of Community and Economic Development or designee.

#### Standard Condition 4.23 PERIMETER WALL PLANS (Modified)

The Applicant/developer shall submit for review and approval a plan to enclose the property with a decorative masonry walls with decorative cap, the design to be approved by the Director of Community and Economic Development or designee. Access agreements shall be obtained from the adjacent property owners to allow the developer to gain access to the exterior portions of the walls for maintenance purposes.

#### Standard Condition 4.25 TRASH ENCLOSURE

The applicant/developer shall provide plans to install a six-foot tall decorative masonry block trash enclosure to City standards to contain a three-yard refuse bin and a ninety-six gallon recycling cart, finished to match the main building. Said trash enclosure shall include provisions for a solid roofed cover, hose bib, and an area drain connected to the sanitary sewer system. The design and location is subject to approval by the City Engineer and Director of Community and Economic Development or designee.

#### Standard Condition 4.26 SEPARATE FIRE LINE CONNECTION

The applicant/developer shall provide plans for review by the City Engineer to install a separate fire-line connection with backflow assembly to service the on-site fire protection sprinkler system and submit a fire flow test from an independent company to ensure proper size of the fire line, to the satisfaction of the Public Works Director.

#### Standard Condition 4.27 PRE-CONSTRUCTION MEETING

The Applicant/developer shall have a pre-construction meeting with City staff prior to any construction activity occurring, to the satisfaction of the Director of Community and Economic Development or designee.

#### Standard Condition 4.29 RECYCLING PLAN

The Applicant/developer shall prepare construction and demolition waste recycling plans for review and approval by the Director of Public Works.

Standard Condition 4.33 TRAFFIC IMPROVEMENT FEES (Modified)

The Applicant/developer shall pay all fees related to the requirements of the Citywide Traffic Improvement Fee prior to the issuance of a building permit. The Traffic Improvement Fee has been calculated to be \$379.32. In addition, the Applicant/developer is required to pay the Traffic Administration fee of \$364.00 prior to the issuance of a building permit.

Prior to the issuance of Certificates of Occupancy:

Standard Condition 4.36 EXTERIOR STREET IMPROVEMENTS

The Applicant/developer shall construct all exterior street improvements to the satisfaction of the City Engineer prior to occupancy.

Standard Condition 5.3 INSTALLATION OF TRAFFIC STRIPING AND SIGNING

The applicant/developer shall install all required traffic striping and signing to the satisfaction of the City Engineer.

Standard Condition 5.7 LANDSCAPING INSTALLATION

The Applicant/developer shall install all required landscaping and irrigation systems as per the approved plans to the satisfaction of the Director of Community and Economic Development or designee. Upon final inspection, staff will verify quantity, size, placement, and health of all plant material, at which time staff may require replacement or addition of landscaping material to ensure a high-quality planting.

Standard Condition 5.8 STREET TREE INSTALLATION

The Applicant/developer shall plant street trees per the City of La Habra Master Street Tree Planting Plan and provide metal tree grates and irrigation to each street tree to the satisfaction of the Public Works Director.

Standard Condition 5.9 FINAL WATER QUALITY MANAGEMENT PLAN

The Applicant/developer shall submit to the City Engineer for review and approval a Final Priority Water Quality Management Plan (WQMP). The WQMP for priority development projects must implement Low Impact Development (LID) principles such that projects infiltrate, harvest, re-use, evapotranspire, or biotreat stormwater runoff.

Standard Condition 5.10 FINAL WATER QUALITY MANAGEMENT PLAN BEST MANAGEMENT PRACTICES

The Applicant/developer shall demonstrate the following issues related to the WQMP:

- a. Demonstrate that all structural 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 all non-structural BMPs described in the Project WQMP.
- c. Demonstrate that an adequate number of copies of the approved Project WQMP are available on-site and for the future occupiers.
- d. Demonstrate that a mechanism or agreement acceptable to the City has been executed for the long-term funding and performance of BMP operations, maintenance, repair, and/or replacement.

Standard Condition 5.13 CATCH BASIN MARKING

The applicant/developer shall mark all catch basins and public access points that cross or abut an open channel with a water quality message in accordance with City Standards to the satisfaction of the City Engineer.

Project specific conditions:

- 1. The Applicant/developer shall prepare an analysis that documents the total energy savings of the project versus the Building Codes, including the use of energy efficient appliances, lighting, and alternative-energy infrastructure showing a 20% reduction in energy use prior to the issuance of building permits, pursuant to the requirements of the City's approved Climate Action Plan.
- 2. The Applicant/developer shall design and install artwork in a public place on or in the vicinity of the project site, as approved by the Community Services Commission prior to issuance of a Certificate of Occupancy. The cost or value of such work shall equal or exceed one percent (1%) of the project cost, as determined by the Chief Building Official. In-lieu of acquiring and installing artwork, the project Applicant may contribute an amount equal to one percent (1%) of the project cost to the Public Arts Fund prior to the issuance of building permits.
- 3. The Applicant/developer owner shall include an energy efficient landscape design plan that reduces exterior heat gains and heat island effects through the installation of trees, reflective paving materials, and cool roofs to reduce energy demand within the project. The plan shall be submitted for review and approval by the Director of Community and Economic Development prior to the issuance of Building Permits.
- 4. The Applicant/developer shall place all mailboxes in accordance with U.S. Postal Regulations, as reviewed and approved by the Director of Community and Economic Development and the La Habra Postmaster prior to the issuance of a Certificate of Occupancy.
- 5. The Applicant/developer shall install the appropriate wiring and circuits in all of the garages for future vehicle charging stations.

6. The Applicant/developer shall include a provision in the rental agreements noting that no public street parking permits shall be issued to the residents of this complex, should the units be rented out.
7. The Applicant/developer shall install and maintain vehicular access road in a serviceable manner prior to and during construction, to the satisfaction of the Los Angeles County Fire Department.
8. The Applicant/developer shall install and maintained an approved automatic fire sprinkler system within the development and plans for such system shall be submitted to Los Angeles County Fire Department Sprinkler Plan Check Unit prior to installation

Section 4. Based upon the foregoing, the City Council of the City of La Habra adopts an ordinance approving Planned Unit Development Precise Plan 20-01.

Section 5. The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published in the manner required by law. This Ordinance shall become effective thirty (30) days from and after its passage.

**PASSED AND ADOPTED** at a regular meeting of the City Council of the City of La Habra held on 21st day of December 2020.

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, Mayor

ATTEST:

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Laurie Swindell, CMC  
City Clerk

STATE OF CALIFORNIA )  
CITY OF LA HABRA ) ss  
COUNTY OF ORANGE )

I, Laurie Swindell, City Clerk for the City of La Habra, do hereby certify that the above and foregoing is a true and correct copy of Ordinance No. 1826 introduced at a regular meeting of the City Council of the City of La Habra held on the 7th day of December, 2020, and was thereafter adopted at a regular meeting held on the 21st of December, 2020, by the following vote.

AYES: COUNCILMEMBERS:  
NOES: COUNCILMEMBERS:  
ABSENT: COUNCILMEMBERS:  
ABSTAIN: COUNCILMEMBERS:

Said ordinance has been published or posted pursuant to law.

Witness my hand and the official seal of the City of La Habra this 21st day of December, 2020.

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Laurie Swindell, CMC  
City Clerk