

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA HABRA, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE APPROVING ZONE CHANGE 23-04 TO ADD A NEW CHAPTER 18.09 (OBJECTIVE DESIGN STANDARDS FOR MULTI-UNIT RESIDENTIAL AND MIXED-USE DEVELOPMENT) AND AMEND CHAPTER 18.68 (DESIGN REVIEW) OF TITLE 18 (ZONING) OF THE LA HABRA MUNICIPAL CODE AND FIND THE ORDINANCE IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) UNDER SECTION 15061(B)(3) (COMMON SENSE EXEMPTION) OF THE CEQA GUIDELINES

THE PLANNING COMMISSION OF THE CITY OF LA HABRA, CALIFORNIA HEREBY FINDS AND DECLARES AS FOLLOWS:

- A. On September 19, 2022, the La Habra City Council approved Resolution No. 6085, adopting the 2021-2029 (6th Cycle) Housing Element of the La Habra General Plan 2035 and directing the City Manager to make any technical or clerical revisions to the Housing Element as may be necessary to obtain a finding of substantial compliance from the Department of Housing and Community Development (HCD).
- B. On November 15, 2022, pursuant to Government Code Section 65585, HCD provided a letter identifying the necessary additional refinements to the Housing Element. Additionally, HCD considered public comments from David Kellog and Nossaman LLP pursuant to Government Code Section 65585, subdivision (c).
- C. On February 23, 2023, the City Manager authorized making technical and clerical revisions to the Housing Element and the City re-submitted the Housing Element with revisions to HCD.
- D. On April 21, 2023, the City received a letter of certification from HCD notifying the City that the adopted Housing Element is in substantial compliance with State Housing Element Law (Article 10.6 of the Government Code).
- E. In accordance with the City's adopted Housing Element, the City initiated Zone Change 23-04 to add Chapter 18.09 (Objective Design Standards for Multi-Unit Residential and Mixed-Use Development) and amend Chapter 18.68 (Design Review) of Title 18 (Zoning) of the La Habra Municipal Code.
- F. To comply with the adopted Housing Element, the City is required to implement a variety of housing programs. The proposed amendments under Zone Change 23-04 will specifically fulfill Housing Programs B2 (Efficient Processing) and B6 (Residential Design Standards), which require

the City to ensure that objective development and design standards will not unduly constrain housing development.

- G. The proposed new Chapter 18.09 (Objective Design Standards for Multi-Unit Residential and Mixed-Use Development) and amendments to Chapter 18.68 (Design Review) under Zone Change 23-04 are consistent with the City's General Plan and more specifically, support several of the City's land use and housing goals and objectives that will enable future housing development and high-quality development in the City.
- H. On November 13, 2023, the Planning Commission held a duly noticed public hearing to consider the addition of Chapter 18.09 (Objective Design Standards for Multi-Unit Residential and Mixed-Use Development) and amend Chapter 18.68 (Design Review) of Title 18 (Zoning) of the La Habra Municipal Code under Zone Change 23-04, at which time it considered all material and evidence presented, whether written or oral.
- I. In making the various findings and recommendations, the Planning Commission has considered all of the evidence presented by staff and the public, whether written or oral, and has considered the procedures and standards required by the La Habra Municipal Code.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF LA HABRA, CALIFORNIA HEREBY RESOLVES AS FOLLOWS:

SECTION 1. CALIFORNIA ENVIRONMENTAL QUALITY ACT. The Planning Commission recommends that the City Council find that the proposed ordinance is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) (Common Sense Exemption) since it can be seen with certainty that there is no possibility that the zone change may have a significant effect on the environment.

SECTION 2. CONSISTENCY WITH GENERAL PLAN. The Planning Commission finds and determines that the proposed amendments to Title 18 (Zoning) of the La Habra Municipal Code are consistent with the goals and objectives of the La Habra General Plan.

SECTION 3. ZONE CHANGE. The Planning Commission recommends that the City Council adopt the ordinance attached hereto as Exhibit A to approve Zone Change 23-04, as required by State Housing Laws and the City's Housing Element.

SECTION 4. RECORD. Each and every one of the findings and determinations in this Resolution are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the action taken. All summaries of information in the findings which precede this section are based on the entire record. The

absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.

SECTION 5. EFFECTIVE DATE. This Resolution shall take effect immediately.

SECTION 6. CERTIFICATION. The Secretary shall certify the passage of this Resolution.

PASSED, APPROVED, AND ADOPTED this 13th day of November, 2023.

Esther Rojas, Chair

I, Veronica Lopez, Secretary to the Planning Commission of the City of La Habra, do hereby certify that the foregoing Resolution No. _____ was adopted at a regular meeting of the City of La Habra Planning Commission held on November 13, 2023 by the following vote:

AYES:	COMMISSIONERS:
NOES:	COMMISSIONERS:
ABSTAIN:	COMMISSIONERS:
ABSENT:	COMMISSIONERS:

Veronica Lopez, Secretary

EXHIBIT A

**DRAFT
ORDINANCE**

DRAFT ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, APPROVING ZONE CHANGE 23-04 TO ADD A NEW CHAPTER 18.09 (OBJECTIVE DESIGN STANDARDS FOR MULTI-UNIT RESIDENTIAL AND MIXED-USE DEVELOPMENT) AND AMEND CHAPTER 18.68 (DESIGN REVIEW) OF TITLE 18 (ZONING) OF THE LA HABRA MUNICIPAL CODE AND MAKING A DETERMINATION THAT THE ORDINANCE IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) UNDER SECTION 15061(B)(3) (COMMON SENSE EXCEPTION) OF THE CEQA GUIDELINES

THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA HEREBY FINDS AND DECLARES AS FOLLOWS:

WHEREAS, in accordance with the City of La Habra's 2021-2029 Housing Element, the City initiated Zone Change 23-04 to add Chapter 18.09 (Objective Design Standards for Multi-Unit Residential and Mixed-Use Development) to Title 18 (Zoning Code) and amend Chapter 18.68 (Design Review) of Title 18 (Zoning) of the La Habra Municipal Code to ensure the application and consistency with the standards for multi-unit residential and mixed-use projects;

WHEREAS, on September 19, 2022, the La Habra City Council approved Resolution No. 6085, adopting the 2021-2029 (6th Cycle) Housing Element of the La Habra General Plan 2035 and directing the City Manager to make any technical or clerical revisions to the Housing Element as may be necessary to obtain a finding of substantial compliance from the California Department of Housing and Community Development (HCD);

WHEREAS, on November 15, 2022, pursuant to Government Code Section 65585, the HCD provided a letter identifying the necessary additional refinements to the Housing Element. Additionally, HCD considered public comments from David Kellog and Nossaman LLP pursuant to Government Code Section 65585, subdivision (c);

WHEREAS, on February 23, 2023, the City Manager authorized making technical and clerical revisions to the Housing Element and the City re-submitted the Housing Element with revisions to HCD;

WHEREAS, on April 21, 2023, the City received a letter of certification from HCD notifying the City that the adopted Housing Element is in substantial compliance with State Housing Element Law (Article 10.6 of the Government Code);

WHEREAS, to comply with the adopted 2021-2029 Housing Element, the City is required to implement a variety of housing programs. The proposed amendments under

Zone Change 23-04 will specifically fulfill the two objectives under Housing Program B6 (Residential Design Standards), which requires the City to adopt objective development and design standards for all residential and mixed-use development and replace the neighborhood compatibility finding for design review approval with “consistency with objective development and design standards”;

WHEREAS, the proposed amendments under Zone Change 23-04 are consistent with the City’s General Plan and more specifically, support several of the City’s land use and housing goals and objectives that will enable future housing development;

WHEREAS, on November 13, 2023, the Planning Commission held a duly noticed public hearing to consider the proposed amendments to Title 18 of the La Habra Municipal Code under Zone Change 23-04, at which time it considered all material and evidence presented, whether written or oral, and recommended that the City Council approve the proposed code amendments; and

WHEREAS, on _____, the City Council held a duly noticed public hearing to consider the proposed amendments to Title 18 of the La Habra Municipal Code under Zone Change 23-04, at which time it considered all material and evidence presented, whether written or oral, including the Planning Commission’s recommendation.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA DOES ORDAIN AS FOLLOWS:

SECTION 1. Recitals. The above recitals are true and correct and are incorporated herein.

SECTION 2. Consistency with General Plan. The City Council finds and determines that the proposed amendments to Title 18 (Zoning) of the La Habra Municipal Code are consistent with the goals and objectives of the La Habra General Plan.

SECTION 3. California Environmental Quality Act. The City Council finds and determines that this Ordinance is categorically exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) (Common Sense Exemption) since it can be seen with certainty that there is no possibility that the zone change may have a significant effect on the environment. Therefore, the Ordinance is categorically exempt from CEQA.

SECTION 4. Amend Title 18 to Add Chapter 18.09. Title 18 (Zoning) of the La Habra Municipal Code is hereby amended to add Chapter 18.09 (Objective Design Standards for Multi-Unit Residential and Mixed-Use Development) to read as follows:

Chapter 18.09 OBJECTIVE DESIGN STANDARDS FOR MULTI-UNIT RESIDENTIAL AND MIXED-USE DEVELOPMENT

18.09.010 Purpose.

The purpose of these objective design standards is to provide the public, building and design professionals, and decisionmakers with objective criteria for multi-unit residential development and mixed-use development in the city. The intent is to provide clear design direction that enhances an area's unique character and sense of place, allows design flexibility, and promotes construction of new housing in the city while ensuring a high-quality living environment.

18.09.020 Definitions.

See Chapter 18.04, Definitions.

18.09.030 Applicability and review.

- A. These standards shall be applicable to all multi-unit residential and mixed-use development in the city, as allowed by the base zone, unless the property is within a specific plan, overlay, and/or a planned unit development that already implements design standards, in which case those standards shall prevail.
- B. These objective design standards shall also apply to eligible multi-unit residential development and mixed-use developments as permitted under Chapter 18.84 (Ministerial Review Process).
- C. These standards shall also apply to new additions to existing conforming and non-conforming multi-unit and mixed-use developments
- D. All new development, alterations, and expansions of multi-unit residential and mixed-use projects shall be processed under the applicable entitlement application(s) and shall be subject to the findings applicable to such entitlement(s).

18.09.040 General standards.

The following are general standards that shall be applicable to new multi-unit residential and mixed-use development:

- A. Site planning.
 - 1. Pedestrian walkways at a minimum width of three feet shall be provided from unit entries to the public sidewalk.
 - 2. Loading spaces on a corner lots must be accessed from the side corner street as defined under Chapter 18.04 Definitions.

B. Orientation. If the site is adjacent to a single-unit dwelling residential zone, upper level windows or balconies shall not have a direct line-of-sight into adjacent units. This can be accomplished through: step backs of upper stories; window placement; use of clerestory windows, glass block or opaque glass; or mature landscaping within the rear or side setback areas.

C. Entries.

1. Building entries shall connect to a public street, parking areas, and publicly accessible open spaces using pedestrian pathways and/or sidewalks. For larger sites with multiple buildings, building entries shall be oriented to face internal open spaces, paseos, and recreation amenities.
2. Building entries along street frontages shall be at the same ground level as the adjacent sidewalks to minimize the need for external steps and external ADA ramps at public entrances.

D. Frontages.

1. Multi-unit residential.

- a. Unit garages shall not be permitted along public street frontages.
- b. Projecting elements on upper floors may project up to three feet from the exterior wall, but shall not project into a required fire lane and/or extend over a public right-of-way.

2. Mixed-use.

- a. All ground floor tenant spaces that have street frontage shall incorporate storefront entrances along the façade fronting a street.
- b. All building façade with street frontage shall have a glazed opening every 25 feet, at the a minimum.
- c. Windows and/or glass doors shall cover at least 50 % of the first-floor street elevations.
- d. At least 25 % of the surface area of each upper floor façade shall be occupied by windows.
- e. A building entrance shall include at least two of the following items:

- i. Projecting awnings or canopies above an entry (covered entry).
 - ii. Varied building mass above an entry, such as a tower that protrudes from the rest of the building surface.
 - iii. Architectural elements, such as columns, porticos, overhanging roofs, and ornamental light fixtures.
 - iv. Projecting or recessed entries or bays in the façade that include ridged canopies, contrasting materials, crown molding or decorative trim.
 - v. Varied rooflines or articulation in the surface of the subject wall.
- f. Projecting elements shall comply with the provisions of the base zone as set forth in this title. Projecting elements shall not encroach into a required fire lane and/or extend over a public right-of-way.
- g. Development with retail, commercial, community or public uses on the ground floor shall have a clear floor-ceiling height of a minimum of 15 feet.
- h. The minimum height for awnings or marquees is eight feet above finished grade and the maximum height for awnings or marquees is 12 feet above finished grade; except as otherwise required in the building code approved by the city. Awnings shall not be placed above the floor plate height.
- i. If the front façade is set back from the public sidewalk, a paved walkway from the front façade shall be provided that connects to the public sidewalk.
3. Live-work/office fronts.
- a. The primary access points on the ground floor elevation level shall be at the same elevation level of the sidewalk to minimize the need for external steps and external ADA ramps at public entrances.
 - b. All ground floor tenant spaces that have street frontage shall have entrances on a façade fronting a street. All other ground floor uses may have a common lobby entrance along the front façade or private entrances along other facades.
 - c. Entrances to upper floor units may be provided through a common lobby entrance and/or by a common entrance along a façade fronting a street.

- d. At least 40% of the surface area of the ground floor façade shall be occupied by display windows or translucent panels.
- e. At least 25% of the surface area of each upper floor façade shall be occupied by windows.
- f. Projecting elements shall comply with the provisions of the base zone as set forth in this code. Projecting elements shall not encroach into the required fire lane or extend over the public right-of-way.
- g. The minimum height for awnings or marquees is eight feet above finished grade and the maximum height for awnings or marquees is 12 feet above finished grade; except as otherwise required in the building code approved by the city. Awning shall not be placed above the floor plate height.
- h. If the front façade is set back from the public sidewalk, a paved walkway from the front façade shall be provided that connects to the public sidewalk.

E. Roof.

- 1. The roof material of a building shall include one of the roof materials listed under the specific architectural style of the building, as set forth in the subsections below.
- 2. Roof forms and roof lines shall be broken into a series of smaller building components when viewed from the street. Long, linear unbroken roof lines shall not exceed 50 feet.

F. Windows.

- 1. Windows shall be designed using a window style listed under the specific the architectural style of the building, as set forth in the subsections below.
- 2. When utilizing functional or decorative shutters, the shutter shall be at least one-half the width of the window for paired shutters, or must be the same width as the window for a single shutter.
- 3. A minimum of one window from each residential unit shall be located to overlook a landscaped private or common open space area.

G. Materials.

- 1. Glossy and/or reflective colors and materials are prohibited.

2. Multi-unit developments consisting of more than five buildings shall provide a minimum of two distinct color schemes. A single-color scheme shall be dedicated to no less than 40% of all residential buildings.
3. Multi-unit developments consisting of 10 or more buildings shall provide a minimum of three distinct color schemes. The number of buildings in a single-color scheme shall be no less than 30%.
4. Changes or transitions in façade treatment, such as veneers or textured materials, shall wrap around the corners of the building and extend at least six feet beyond the corners, or terminate at the nearest window or door.
5. Affordable units and market rate units within the same development shall be constructed of the same materials and details such that the units are not distinguishable from one another.

H. Vents and exhaust.

1. All wall-mounted utility elements shall be located along the sides and rear of a building to ensure they are concealed from public view.
2. All flashing, sheet metal vents, exhaust fans/ventilators, and meter boxes shall be painted to match the building wall material and/or color.

I. Equipment and utilities.

1. Rooftop equipment which cannot be concealed within the architecture of the building shall be completely screened from view behind a parapet wall or through the use of architectural screens. Architectural screens must have the same façade treatment as the structure.
2. All utility equipment shall be located outside of any pedestrian path-of-travel walkway. All utility equipment shall be placed adjacent to alleyways, within parking areas, rear or side yards, or within building “notch-outs” and screened from public view.
3. If ground-mounted mechanical equipment cannot be placed at the rear side of a building away from the street frontage, it shall be either placed on the ground and screened with landscape or placed on the roof and screened with architectural materials such as roof or parapet consistent with the overall architectural style.
4. All electrical utility equipment, electrical meters, and junction boxes shall be placed within a utility room. If a utility room is not feasible, then all utility

equipment shall be designed as an integral part of the building development, placed adjacent to alleyways, within parking areas, or within rear or side yards, and screened from public view.

5. Trees and shrubs shall be placed a minimum of five feet away from water meter, gas meter, or sewer laterals; a minimum of 10 feet away from utility poles; and a minimum of three feet away from fire hydrants and sprinkler and standpipe connections, unless another dimension is approved by the fire department.

J. Outdoor lighting.

1. The style of lighting fixtures shall be the same or similar to the building's design and architectural style.
2. Building entrances and street numbers shall be illuminated to be visible from the street.
3. Building mounted security lighting fixtures shall not project above the first floor or the fascia of a single-story building. The lighting fixtures shall be hooded and face downward. The light shall not shine or cause glare onto adjacent properties.
4. All exterior lighting shall be dark sky compliant, and designed, located and lamped to prevent over lighting, energy waste, glare, and light trespass.

K. Walls and fences.

1. The style of walls shall be the same or similar to the architectural style of the project.
2. Wall materials shall be brick, slump stone, tile, textured concrete, stucco on masonry, and steel framing. Plain concrete block walls (i.e. precision block) and chain link fencing with inserts shall not be used as wall materials.
3. Wall caps shall be incorporated as a horizontal design element at the top of walls and shall not exceed four inches in height.
4. All exterior perimeter walls located along public streets shall have an offset consisting of a minimum of five feet deep for every 50 linear feet to 75 linear feet of the wall length, with a minimum of 18 inches deep landscape in front of the wall or incorporate pilasters every 40 feet to 60 linear feet of the wall length, with a minimum of three feet of landscape in front of the wall.

L. Trash enclosures.

1. Trash enclosures must be located away from building fronts and major entries, and screened from view in fixed enclosures.
2. Trash enclosures shall not block or encroach into circulation drives near loading areas or conflict with parking.
3. Vines/hedges shall be placed on exposed elevations to deter graffiti and blend structure into the landscape.
4. Enclosures shall be separated from adjacent parking stalls with a minimum two-foot-wide planter area.
5. A pedestrian walkway shall be provided to all trash enclosures.

M. Parking.

1. All end parking stalls shall be adjacent to landscape planters with a 12-inch step out.
2. Parking shall be connected to all building entrances by means of internal pedestrian walkways.
3. Parking areas, covered and uncovered, shall be screened from public street frontages. Screening may be accomplished through building placement, landscaping, fencing, or some combination thereof. Landscaping for screening purposes shall be no less than three feet tall.
4. Parking and loading areas shall be screened from an adjacent residential property by a wall, fence, or evergreen, as required by this code.
5. Garage door windows or architectural detailing shall be consistent with the main dwelling.
6. The exterior elevations of parking structures shall include textured concrete, planters or trellises, or other architectural treatments to minimize the appearance of blank concrete facades.
7. The parking areas of sloped floor parking structures shall not exceed a grade of five % as measured across the width of a 90-degree parking stall. The grade of a straight internal ramp shall not exceed 15%. The grade of a circular ramp shall not exceed 12% as measured at the outside ramp wall.

8. A subterranean or parking structure must be screened from the street.

N. Electric vehicle (EV) charging stations.

1. Electric vehicle station installation and equipment shall be consistent with applicable rules and regulations in CALGreen Building Standards Code and California Building Code Chapters 11A and 11B, as said code are amended from time to time.
2. Each charging station space shall be posted with signage indicating the space is only for electric vehicle charging purposes. Days and hours of operation shall be included if it has time limits.
3. Each charging station space shall be posted with signage indicating the space is only for electric vehicle charging purposes. Days and hours of operation shall be included if it has time limits.
4. Charging station equipment mounted on pedestals, light posts, bollards or other devices shall be a minimum of 24 inches clear from the face of curb.
5. Charging station outlets and connector devices shall be no less than 36 inches and no higher than 48 inches from the top of surface where mounted, and shall contain a retraction device and/or a place to hang permanent cords.
6. When the electric vehicle charging station, space is perpendicular or at an angle to curb face and charging equipment, equipment protection, such as wheel stops or concrete-filled steel bollards, shall be used.

O. Private open space.

1. Private usable open space shall be accessible from common habitable room or hallway of the unit.
2. Ground level private open spaces shall be screened at a minimum height of four feet by use of plant materials, solid walls, or building surface.

P. Common open space.

1. Primary common open space shall not be located at an extreme edge of the property or dispersing smaller less usable areas.
2. In projects consisting of less than 10 units, the common open space shall have a width and depth of at least 10 feet.

3. Open space areas shall not be located directly next to arterial streets, service areas, or adjacent commercial development to ensure they are sheltered from the noise and traffic of adjacent streets or other incompatible uses unless it is secured by fencing and/or walls in conjunction with landscaping that complies with the City's codes.
 4. All common open spaces shall include seating and lighting. Site furniture shall use graffiti-resistant material and/or coating and skateboard deterrents to retain the site furniture's attractiveness.
 5. All newly constructed residential projects shall include a minimum of one active recreational amenity. The amenity can consist of the following:
 - a. Clubhouse;
 - b. Outdoor eating area that includes a barbeque and shaded sitting area;
 - c. Swimming pool at a minimum size of 15 feet x 30 feet;
 - d. Tennis, basketball or racquetball court;
 - e. Gym facility;
 - f. Children's playground at a minimum size of 600 square feet;
 - g. Sauna or jacuzzi;
 - h. Community garden;
 - i. Other recreational amenities deemed adequate by the director.
 6. For projects consisting of more than 30 units, the project shall include at least one child play area with a minimum dimension of 150 square feet. All play areas shall be located away from high automobile traffic and shall be situated for maximum visibility from the dwelling units.
- Q. Rooftop.
1. Parapet shall be capped with precast treatment, continuous banding, or projecting cornices, dentils, or similar edge treatment and shall match the material used on the building façade.

2. When a rooftop garden/deck is proposed, the following must be met:
 - a. The rooftop garden shall be accessible to residents of all dwelling units on the parcel, unless the rooftop garden/deck only has a direct connection to an individual unit.
 - b. At least 15% but no more than 25% of the rooftop shall be landscaped with raised beds for gardening, stormwater planters, or other landscaping. All required landscaped areas should be equipped with automatic irrigation systems and be properly drained.
 - c. Permanent fixtures associated with the useable open space, such as trellises, shade structures, furniture, and furnishings such as planters, lighting and heaters, shall not exceed the building height limit by more than eight feet.
 - d. The rooftop garden/deck shall match the architectural style of the building.

The rooftop garden/deck is not required to be accessible to commercial tenants of a mixed-use development.

R. Landscaping.

1. Landscaping shall be provided for all outdoor areas that are not specifically used for parking, driveways, walkways, patios, or open space.
2. Landscape planters shall be provided throughout the development.
3. A three-foot planter with 15-gallon hedges or a five-foot planter with 24-inch box trees shall be placed along the interior sides and rear perimeter of the project.
4. Projects shall utilize native California and drought-tolerant plants to ensure compliance with the city's Model Water Efficient Landscape Ordinance (MWELO).

18.09.040 Building types.

A. Townhomes

1. Townhomes and triplexes typically include the following design features. Specific requirements are set forth in the subsections below.
 - a. Driveway and alley loaded garages.

- b. Each unit has an attached garage.
 - c. A primary entrance(s) oriented to the street/driveway.
 - d. A covered porch or covered recess entry is required for each unit.
2. Building mass.
- a. Townhomes.
 - i. The maximum building length shall be 150 feet or six units, whichever is less.
 - ii. Entrance frequency: At least one every 50 feet.
 - iii. Garage parking may be front-loaded or rear-loaded, but shall be entered from alley.
 - iv. Primary elevations (facades) shall incorporate design features such as offsets, balconies, projections, window reveals, or similar elements to preclude large expanses of uninterrupted building. Along the vertical face of a structure, such features shall occur at a minimum of every 35 feet and on each floor shall contain at least two of the following features:
 - 1. Recess (e.g., deck, patio, courtyard, balcony, garage, entrance, or similar feature) that has a minimum depth of four feet;
 - 2. Extension (e.g., floor area, deck, porch, bay window, patio, entrance, or similar feature) that projects a minimum of two feet and runs horizontally for a minimum length of four feet; and/or
 - 3. Offsets of facade or roof elevation of two feet or greater.
 - v. The vertical massing of buildings shall be articulated to express each individual unit.
 - vi. The primary entry must not directly face another unit's garage door.
 - vii. A covered porch or covered recess entry is required for each townhouse, with a minimum depth of five feet.
 - viii. Rooflines shall be vertically articulated at least every 50 feet along the street frontage, through the use of architectural elements such as

parapets, varying cornices, reveals, clerestory windows, or varying roof height and/or form.

b. Plex.

- i. Alley or courtyard shall provide access to units and garages.
- ii. Entrance frequency: At least one every 50 feet.
- iii. Maximum elevation of first inhabited level: 30 inches above adjacent sidewalk.
- iv. Primary elevations (facades) shall incorporate design features such as offsets, balconies, projections, window reveals, or similar elements to preclude large expanses of uninterrupted building. Along the vertical face of a structure, such features shall occur at a minimum of every 35 feet and on each floor shall contain at least two of the following features:
 1. Recess (e.g., deck, patio, courtyard, balcony, garage, entrance, or similar feature) that has a minimum depth of four feet;
 2. Extension (e.g., floor area, deck, porch, bay window, patio, entrance, or similar feature) that projects a minimum of two feet and runs horizontally for a minimum length of four feet; and/or
 3. Offsets of facade or roof elevation of two feet or greater.
- v. The vertical massing of buildings shall be articulated to express each individual unit.
- vi. Garage parking shall be rear-loaded or detached.



B. Garden.

1. Garden building types include the following design features. Specific requirements are set forth in the subsections below.
 - a. Open-air stairways.
 - b. Surface parking or detached garage.
 - c. No private driveway.
 - d. Primary entrance(s) oriented to common open space or courtyard.



2. Building mass.

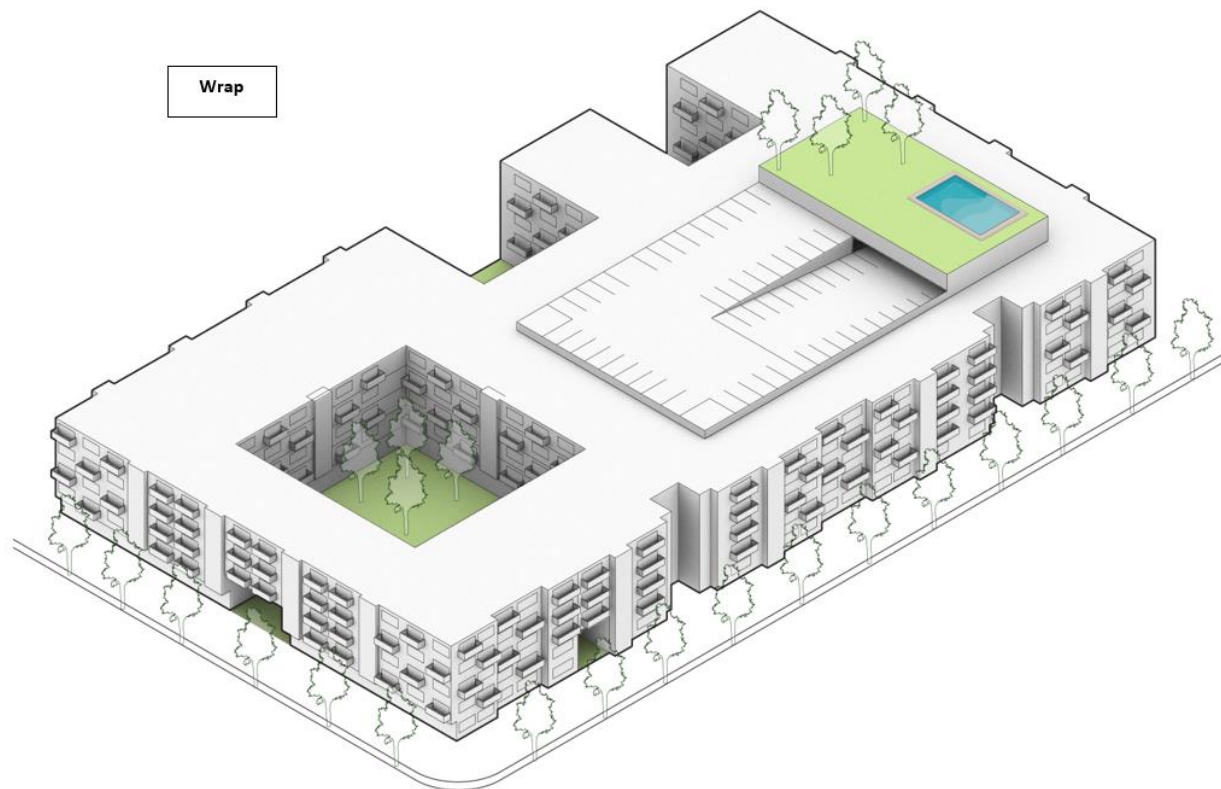
- a. Buildings shall be arranged so that no fully enclosed, interior court is formed.
- b. At a minimum, a wall break of three feet in depth by five feet in length shall be provided on buildings along a street frontage (private or public), through the use of varying setbacks, building entries and recesses, or structural bays for every 20 feet of building length.
- c. For buildings longer than 60 feet in building length, there shall be a plane-break every 20 feet along the facade comprised of an offset of at least five feet in depth by 10 feet in length, through the use of varying setbacks, building entries and recesses, or structural bays.
- d. Structures with three or more stories shall use of trim, awnings, eaves, other ornamentation, or a combination of complementary colors on the upper floors.
- e. Walls that are blank (i.e., walls without doors, windows, or landscaping treatments) shall span no more than 10 feet in length.

- f. Parking lots shall be placed to the side or rear of buildings. There should be no vehicular parking between townhouse fronts and the public right-of-way.

C. Wrap.

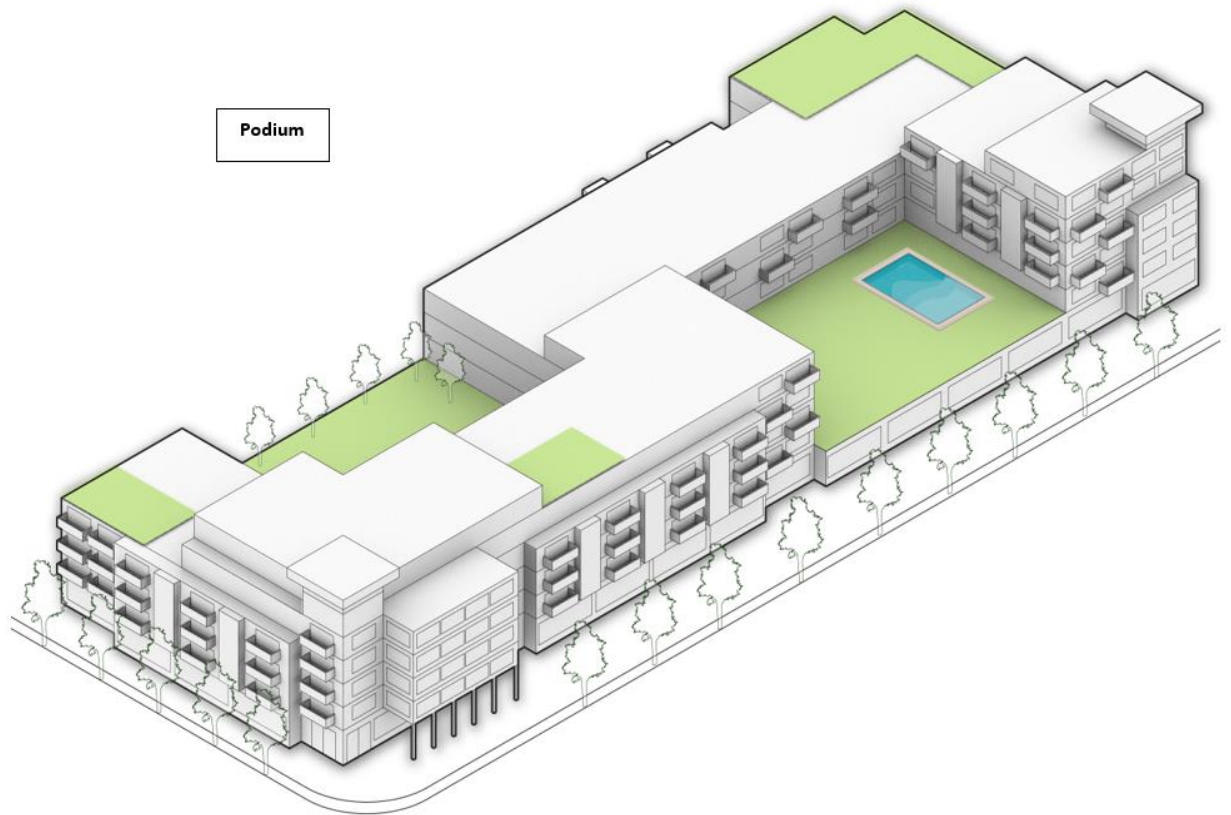
1. Design features.

- a. Multilevel parking structure.
- b. Residential units and/or retail “wrapping” around an above-grade parking structure.
- c. Private open space provided within an individual unit.



2. Building mass.

- a. Multi-unit residential.
 - i. For every 20 feet of building length, there shall be a plane-break along the facade comprised of an offset of at least three feet in depth by five feet in length, through the use of varying setbacks, building entries and recesses, or structural bays.
 - ii. Where parking structures are planned, the street building frontage shall be composed of active uses that screen the podium parking structure.
 - iii. Residential ground floor uses in multi-unit buildings, other than accessible units, shall be no more than four feet above the public sidewalk grade, if the setback is 15 feet or less.
 - iv. At least one elevator shall be provided in each multi-floor building containing 12 or more attached units, where some of those units have primary accesses only from the third-story or higher stories.
 - b. Mixed-use.
 - i. Building façades shall have a glazed opening at least every 25 feet.
 - ii. The minimum vertical clearance between the ground or street level and the encroachment should be 12 feet.
- D. Podium.
- 1. Design features. A building with residential units directly above with a garage podium and/or below grade garage.



2. Building mass.

- a. Each street-facing façade exceeding 30 feet in length shall include a three-foot wall indentation for every 15 feet of the façade length.
- b. Each street-facing façade exceeding 50 feet in length shall modulate a minimum of 25% of the area above the first story. This modulation shall be between three feet and 12 feet in depth from the primary façade plane. The “primary façade plane” is defined as the vertical plane with the greatest surface area above the ground floor.
 - i. Modulation is not required to be continuous or open to the sky, and may be recessed or projected.
- c. Buildings over three stories adjacent to low density residential shall step back the fourth floor and above by a minimum of 15 feet. Buildings over four stories shall step back the fifth floor and above by a minimum of 15 feet.

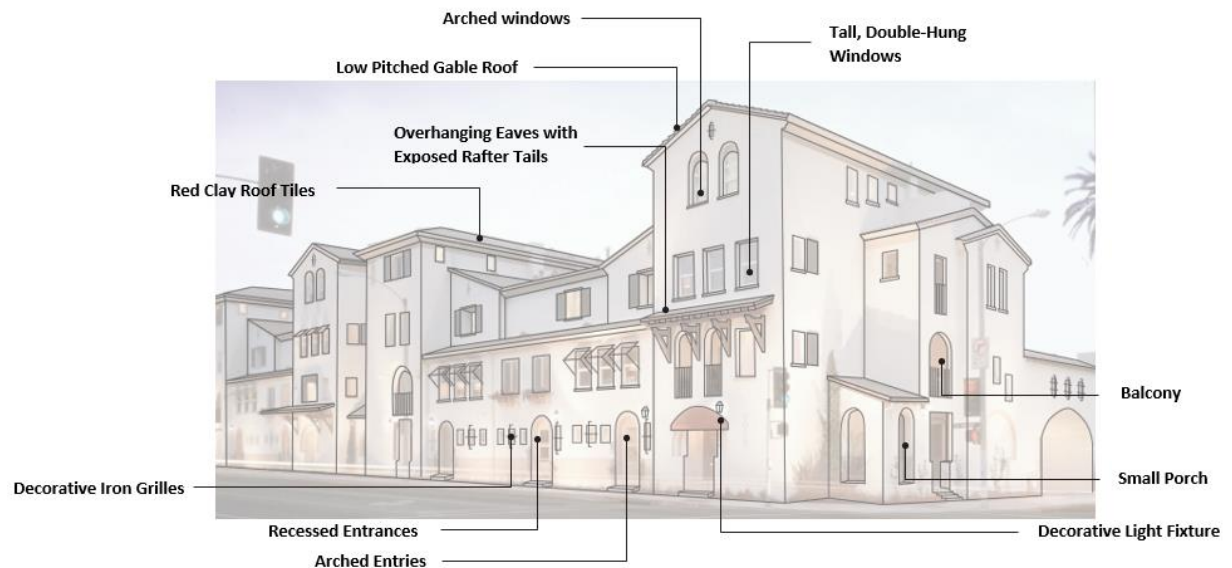
- d. Residential ground floor uses in multi-unit buildings, other than accessible units, shall be no more than four feet above the public sidewalk grade, if setback is 15 feet or less.
- e. For mixed-use projects, the ground floor elevation shall include the following:
 - 1. A line of awnings or canopies over ground floor storefronts or amenity space windows extending at least 75 % of the elevation width, if a mixed-use development is proposed.
 - 2. Unobstructed transparent glass storefronts for at least 75% of the elevation width, if a mixed-use development is proposed.
- f. The cap is at the top of the building and shall include at least one of the following:
 - 1. If the building has a parapet wall, a cornice at a depth of at least twelve 12 inches over the wall below;
 - 2. If a building has a pitched roof, an eave overhang of at least two feet;
 - 3. A building step-back of at least three feet from the main wall plane of the story below;
 - 4. A change in exterior cladding material at the top story that is different than the story below, effectively using the top story as a wall cap.

18.09.50 Architectural styles.

- A. The architectural style standards shall be coordinated with the building types.
- B. Any residential project with more than 16 primary residential buildings shall include more than one architectural style.
- C. Each multi-unit residential and mixed-use project shall be required to be designed in compliance with the architectural styles set forth in this section.
 - 1. Spanish Colonial Revival. Derived from Spanish/Mediterranean and early Californian influences, these styles emerged in the late 19th and early 20th centuries. Projects a visually rich environment with allusions to regional history. Generally, Spanish Colonial Revival style buildings are asymmetrically arranged. The style features low-pitched roofs with little or no overhang covered with S Type Clay red roofing tiles. Houses are mostly

wood frame with stucco siding. Arches are commonly used, especially above doors, porch entries, and main windows.

Table 18.09.50.C.1



a. Form and massing.

- i. Can include an asymmetrical façade/elevation and three or more roof planes.
- ii. At least 50% of the units shall have balconies or window treatments (such as shutters or awnings).
- iii. Mixed-use projects, projects four stories and taller and projects with more than six buildings shall include at least two of the following details:
 1. Two add-on projections such as verandas, arcades, balconies and exterior stairs.

2. One focal point, such as courtyard, tower, or fountain shall be provided.

3. Wingwall or the use of columns on the ground level.

b. Roof.

i. Roofs shall be low pitched (4:12 maximum) cross- or side-gable roofs. The pitch shall remain constant except for a veranda or arcade.

ii. When a flat roof is used, it shall be screened by a parapet that is an extension of the wall plane or by a modified mansard roof.

iii. Roofs shall be red, fired, clay tile roofs and in tile shapes, either in Spanish (S-shaped) or Mission (half-cylinder) types.

iv. The roof gable shall have no overhang on the rake.

v. At least 30% of the primary facade length shall have a six-inch to 12-inch eave overhang and 20% shall have an overhang with greater than 12 inches with exposed rafter tails.

vi. Hipped roofs shall only be used in combination with gables or on a tower element.

vii. Shed roofs shall only be used in conjunction with verandas.

c. Materials

i. Walls shall be stucco with either a smooth plaster or hand troweled plaster finish.

ii. Re-sawn wood shall be used as secondary wall material for the following and similar elements:

1. Posts and exposed beams;

2. Railing, spindles and grill work; and

3. Shutters, window frames and doors.

iii. At least one wrought iron element (such as railings, gates, etc.) shall be used.

- d. Doors and windows.
 - i. Accent windows shall be less than 20% of the total window size.
 - ii. The primary facade shall include at least one arched element.
 - iii. All entrance door shall include a banding of ceramic tile, wooden trim, molded plaster or painted accents.
 - iv. At least two types/shapes of windows shall be used.
 - e. Decorative details. All residential projects shall include at least four of the following details:
 - i. Entry/front porch or patio;
 - ii. Decorative tiles;
 - iii. Clay tile vents;
 - iv. Wrought iron balcony railings or support brackets;
 - v. Dark metal light fixture and hardware;
 - vi. Paired wood (or wood simulated) garage doors with iron hardware; and
 - vii. Stone or brick accented elements.
2. Craftsman. The Craftsman or California Bungalow style is derived from the influential residential style that emerged in the early 20th century out of the Arts and Crafts movement. This style is deployed to create a visually rich residential environment with allusions to regional history. As indicated in the accompanying precedent images and illustrative diagram, recognizable elements include low-pitched gabled or hipped roofs, exposed rafters and beams under eaves, decorative brackets and fasteners, full- or partial-width porches and large columns or piers. Period Craftsman residences often featured exterior cladding of wood shingles or clapboard siding and details such as extended lintels and decorative lighting with geometric detailing.

Table 18.09.50.C.2



- a. Form and massing. The building shall include the following:
 - i. Asymmetrical façade/elevations.
 - ii. Three or more roof planes on the primary façade.
 - iii. Front-facing gable roofs.
 - iv. At least 30% of the street-facing units shall have balconies or porches.
 - v. Primary walls shall have two to three materials and/or colors, with no more than 90% of the total wall surface in one material and/or color.
- b. Roof.
 - i. Roofs shall be low- to moderate-pitched gable or hipped roofs from 4:12 to 6:12.
 - ii. Overhanging eaves shall be a minimum 18 inches along primary elevation with exposed rafter tails or beams.
 - iii. There shall be brackets or knee braces at gabled ends.
 - iv. Asphalt shingles (or fiber cement imitation or imitation synthetic asphalt shingles) shall be used.

c. Materials

- i. Must use brick, stone and concrete blocks accent material
- ii. Primary walls shall show no more than two materials along any vertical section of the building, with no more than 90% of the total wall surface in one material.
- iii. Primary wall materials shall consist of dark wood shingles, clapboard siding, or fiber cement siding and natural-like materials such as arroyo stone or bricks.

d. Doors and windows.

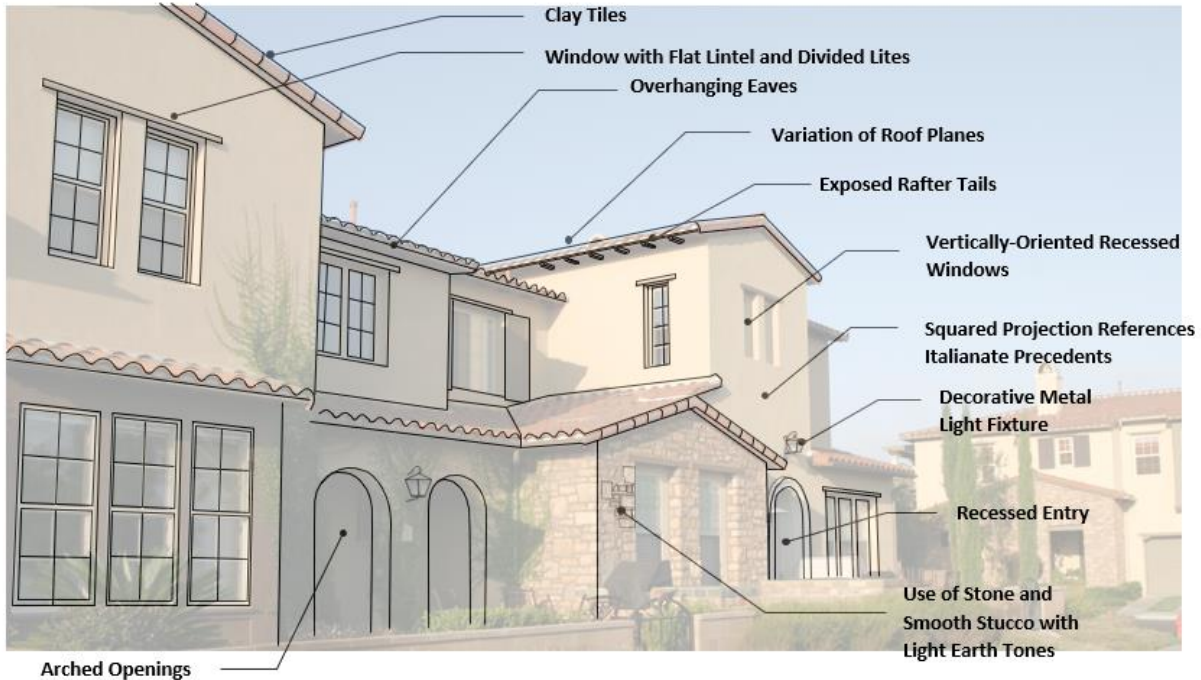
- i. At least 80% of the primary windows shall have grilles.
- ii. At least two types/shapes of windows shall be used.
- iii. Flat wood trims (typically 4½" or 5½" wide) shall be utilized around the primary windows and entry doors.
- iv. Window and door trim color shall contrast with color of walls.
- v. Entry doors and garage doors have glass panels.
- vi. Sliding windows are prohibited.

e. Decorative details. All residential projects shall include at least four of the following details:

- i. Stone pier and battered wood support;
- ii. Exposed rafter tails and knee-brace brackets;
- iii. Dormers located on the front façade;
- iv. Second-story balcony;
- v. Decorative attic/gable vent;
- vi. Light fixtures that are box-shaped, with metal frame and geometric pattern.

- vii. Chimneys that are visible at the exterior and arranged on a side elevation;
 - viii. Stained glass windows;
 - ix. Gable pediments.
 - x. Mixed-use projects, projects four stories and taller, and projects with more than six buildings shall include the following additional details:
 - 1. Covered front porches with tapered pillars.
 - 2. Ground level windows with muntins.
3. Tuscan. The Tuscan style is an interpretation of traditional Mediterranean architectural style based on precedents found in the Spanish Colonial Revival style joined by rural Italian elements. As indicated in the accompanying precedent images and illustrative diagram, recognizable elements include the use of stone and stucco, light earth tones, and red tiled roofs. Classical elements such as columns and arches and decorative iron work add visual complexity. Squared towers and projections speak to Italianate references. Porches and porticoes are common, as are vertically oriented recessed windows.

Table 18.09.050.C. 3



- a. Form and massing. The building shall include the following:
 - i. Asymmetrical arrangement of windows and design elements along primary elevation
 - ii. Must use porches, porticoes and/or Juliet balconies (two-foot maximum depth)
 - iii. Recessed entries of no less than two feet in depth.
- b. Roof.
 - i. Roofs shall be flat or low-pitched hip or gable roof (maximum 6:12 slope).
 - ii. Roofs shall contain clay tiles.
 - iii. Roofs shall include at least three roof levels.
 - iv. Large overhanging eaves (minimum 12 inches) shall be included along the primary elevation.

- v. Eaves shall contain timber tiles.
- c. Materials.
- i. Buildings shall use rough-hewn stone as accent feature.
 - ii. Walls shall be flat stucco walls.
- d. Doors and windows.
- i. Single or double-hung windows shall have a-over-six muntin patterns and 5½" wide trim.
 - ii. If casement windows used, they must be paired with either four-pane patterns for windows no wider than two feet each or eight-pane patterns for of the same width.
 - iii. Vertically oriented rectangular or arched windows shall be arranged in asymmetrical patterns.
 - iv. Windows shall include casement or double-hung sash with flat lintels.
 - v. Windows shall be recessed three to 12 inches from outer wall on primary façade.
- e. Decorative details. All residential projects shall include at least four of the following details:
- i. Juliet balconies (2 feet maximum depth);
 - ii. Rafter extensions and brackets;
 - iii. Stone or stucco window/door trim;
 - iv. Rectangular or arched wooden door;
 - v. Arcade or porch at entry;
 - vi. Decorative ironwork (window grilles, railings, light fixtures, decorative planters);
 - vii. Arched windows;

- viii. Paired decorative wood shutters. Shutters shall be equal to half the width of the window. Shutter styles can either be paneled or louvered.
- ix. Mixed-use projects, projects four stories and taller, and project with more than six buildings shall include at least two of the following details:
 1. Use of brick, stone or wood columns;
 2. Stucco or stone chimneys or tower;
 3. Wood trellis;
 4. Arched openings and doorways at the ground level.
4. East Coast Traditional. The East Coast Traditional styles of multi-unit housing incorporate elements of American domestic architecture dating back to the early English and Dutch houses built in the first century of colonial settlement. These precedents have been interpreted and re-interpreted during successive waves of residential design and development over the past 140 years, and presently incorporate an eclectic mixture of elements. Common characteristics of new East Coast Traditional buildings include materials such as wood and brick; front entrances accentuated with pediments and pilasters; windows with double-hung sashes and articulated lintels and sills; and porches supported by thin columns.

Table 18.09.050. C.4



a. Form and massing.

- i. Symmetrical front facade
- ii. Accentuated front entrance with wood or material of similar material molding of a minimum of 4 inches.
- iii. Building wall offsets shall be less than 10 feet.
- iv. Porches and balconies are allowed.
- v. Roofs shall be side-gabled and front-gabled.
- vi. Feature elements shall be repeated or reinforced in front façade.

b. Roof

- i. Roof shall be medium to high-pitched (minimum 4:12 slope).
- ii. Shingles shall be asphalt shingles or synthetic slate shingles.
- iii. If a classical entablature is to be used, it must be placed at the return of a gable end.

iv. Cornices shall consist of a boxed roof-wall junction.

c. Materials.

- i. Cladding must be made of brick, wood, engineered wood, or vinyl siding.
- ii. Attached townhomes shall alternate color and cladding from one unit to the next.
- iii. Shingles shall be made of asphalt.
- iv. Stucco is prohibited.

d. Doors and windows.

- i. At least eighty % (80%) of windows shall either be single hung or fixed with muntin bars.
- ii. May use window styles such as Palladian or the circle and the fan light transom panel.
- iii. Windows shall be evenly spaced.
- iv. Windows shall be detailed with arched or flat lintels and sills.
- v. Bay or pop-out window must rest on a trimmed wood sill and brackets

e. Decorative details. All residential projects shall include at least four of the following details:

- i. Paneled shutters;
- ii. Arched window with a keystone detail;
- iii. Cornice returns on the gable ends;
- iv. Decorative attic vents;
- v. Balustrades to accentuate terraces or stoops, or as railings on second floor balconies;
- vi. Dormer windows.

- vii. Mixed-use projects, projects four stories and taller, and projects with more than six buildings shall include at least two of the following details:
 1. Front door with sidelights and arched transom;
 2. Moldings with applied dentils;
 3. Doorways framed with side lites and transom windows;
 4. Entrance features with wood columns or pilasters.
5. Farmhouse. Farmhouse is an interpretation of traditional rural residential forms and materials. As indicated in the accompanying precedent images and illustrative diagram, the style utilizes elements such as vertical or horizontal wood siding, monochrome colors with contrasting accents and sparse or simple ornamentation. Roofs are typically medium to high-pitched. Minimal detailing often includes awnings, porches and wall mounted gooseneck lights.

Table 18.09.050.C.4



- a. Form and massing.
 - i. Clean and straight exterior lines, geometric form

- ii. Asymmetrical massing with a gable at the front of the house
 - iii. Repeating shapes and lines thorough all of the elevations
 - iv. Gable roofs
 - v. Incorporate farm and ranch forms inspired by barns, silos, sheds, tank houses and granary towers to the building design
 - vi. Multiple gable and shed roof planes
 - vii. Geometric forms, industrial materials, limited palette, and repetition
 - viii. Covered porches and awnings to break up volumes between lower and upper floors
 - ix. Three or more wall planes
- b. Roof.
- i. Roofs shall be high-pitched gabled roofs or shed roofs (with a minimum 6:12 slope).
 - ii. Roofs shall include intersecting gable roofs.
 - iii. Roofs shall be made of a dark gray or black asphalt shingle, metal roofs or synthetic slate shingles.
 - iv. Rooflines shall be triangular to emphasize the height of the unit.
 - v. There shall be overhangs at a minimum length of two feet above the patio and garage.
- i. Materials.
- 1. Must use the following material: metal, wood, masonry.
 - 2. Use siding to give texture and variation to exterior walls.
 - 3. Monochrome accents of doors, windows or architectural features.
 - 4. Combine contemporary design with rustic materials.

5. Stucco is prohibited.
- ii. Doors and windows.
 1. At least sixty % (60%) of windows shall be above 2 feet in height and no wider two feet in a double hung window style with 2 times taller than wide.
 2. Groupings of two or three double hung units can be applied, but are not required. ..
 3. Accent windows shall be no more than twenty % (20%).
 4. Must include 4½” to 5½” flat board trim on the sides and head of windows and doors .
 5. At least sixty % (60%) windows shall have grilles.
 6. Windows shall be double hung or casement windows with muntins.
 - iii. Decorative details. All residential projects shall include at least four of the following details:
 1. Front porch with exposed wooden columns;
 2. Covered patio;
 3. Shed or gabled dormers;
 4. Carriage-style garage doors;
 5. Dark shutters and window sashes;
 6. Use gable brackets, vents or trim;
 7. Iron barn-style lighting;
 - iv. Mixed use projects, projects four stories and taller, and projects with more than six buildings shall include at least two of the following additional details:
 1. Metal awnings without sides.
 2. Gooseneck light fixtures at the entrance.

3. Include windows no less than 3 feet by 4 feet in size.
4. Grilles on the ground level windows and doors.
6. Modern. Modern is a contemporary style derived from utilitarian precedents, utilizing block forms, contrasting colors and eclectic combinations of materials in modern compositions. This style projects a minimalist, clean aesthetic. Simple rectangular shapes and forms are combined within horizontal and vertical planes to create dynamic lines. Flat roofs reinforce the rectangular shapes and provide an opportunity for outdoor deck areas. Accents are simple and modest, usually taking the form of trellis elements.



- a. Form and massing. Must include three of the following:
 - i. An irregular, asymmetrical facade
 - ii. Geometric shapes and clean lines
 - iii. Rectangular shape structure
 - iv. Straight and continuous lines
 - v. Three or more wall planes
 - vi. Arches, ornate columns, or window shutters shall are not permitted.

b. Roof

- i. Roofs shall be flat or low-pitched shed roofs (maximum 4:12 slope).
- ii. If overhangs are proposed, it must project no less than two overfeet from the wall exterior wall
- iii. Tile roofs shall be prohibited.
- iv. May have decks or roof gardens.

c. Materials.

- i. Use of raw and natural materials like wood, concrete, metal, and glass.
- ii. Use of traditional materials (such as stucco, wood, brick and stone) as an accent.
- iii. Building facades shall have a minimum of two materials.
- iv. Use of color blocks to emphasize geometric forms and break down massing elements.

d. Doors and windows.

- i. At least thirty 30% of the units in each building shall include at least one large window (i.e. floor-to-ceiling window, sliding windows, picture window) or unadorned glass door.
- ii. Windows and doors shall be rectangular shaped.
- iii. At least 40% of the primary facade shall be glass.
- iv. Windows or balconies shall wrap around a corner of the building.

e. Decorative details. All residential projects shall include at least four of the following details:

- i. Metal balcony railings
- ii. Picture windows
- iii. Floor-to-ceiling glass doors
- iv. Roof deck

- v. Trellis shade structures
- vi. Mixed-use projects, projects four stories and taller, and projects with more than six buildings shall include at least two of the following additional details:
 - 1. Metal awnings
 - 2. A mold branding on the façade no less than 12 inches
 - 3. Floor-to-ceiling glass windows on the ground level
 - 4. An overhang no less than three feet with exposed wood or steel frame.
- 7. French – Influence. Residential architecture in the French style draws on that country’s long tradition of domestic building forms. As indicated in the accompanying precedent images and illustrative diagram, multi-unit variants of the French style typically display a symmetrical facade dominated by a steeply-pitched hipped or mansard roof with dormers. This variant exhibits formal renaissance detailing, distinguishing it from the asymmetrical varieties that draw on French farmhouse, cottage or chateau precedents. Brick, stone and stucco cladding are typical. Stylistic details often include segmental arches around doors and windows, quoins at corners, and open terraces, porches and balconies with balustrades or metal railings.

Table 18.09.050.C.7



a. Form and massing.

- i. Symmetrical organization of compositional elements along the same elevation.
- ii. At least 30% of the upper units shall have balconies.
- iii. High-pitched roof lines above 5:12
- iv. If more than one chimney is proposed, they are symmetrical along the sides of the building and must have the same height.
- v. Recessed entrance no less than two feet
- vi. At least 30% of windows on the primary facade shall be of a French casement window style.
- vii. At least two dormers on each building must be used.

b. Roof.

- i. Roof shall be hipped or mansard roof with dormers.
- ii. For buildings with more than six units per floor or taller than three stories, mansard roof shall be primary roof form.
- iii. Roofs shall be high-pitched (minimum 6:12 slope).
- iv. Eaves (maximum 12 inches).
- v. Roof materials shall be tile, slate, or asphalt shingle.
- vi. Includes roof with molding no wider than 4 inches.

c. Materials.

- i. Cladding shall be brick, stone or smooth stucco.
- ii. Shingles shall be made of asphalt.
- iii. Use of brick, stucco, stone, or half-timbering trim.

d. Doors and windows.

- i. Windows shall be vertically oriented rectangular windows arranged in symmetrical patterns.
 - ii. The use of lintels and sills
 - iii. Windows shall be recessed no deeper than three inches from the outer wall.
 - iv. At least thirty % (30%) of windows shall be French window designs.
 - v. The arched along the front elevation
 - vi. double-hung or casement with double or triple groupings.
- e. Decorative details. All residential projects shall include at least four of the following details:
- i. Entry accents with real or faux stone;
 - ii. Horizontal molding accents along all sides of the building, no wider than four inches;
 - iii. Arched dormers or doors;
 - iv. Stone chimneys;
 - v. Rounded towers with conical roofs;
 - vi. Windows surrounded by stone quins, pilasters, molding or trimming.
 - vii. Mixed-use projects, projects four stories and taller, and projects with more than six buildings shall include at least two of the following additional details:
 - 1. French doors with shutters;
 - 2. Juliet balconies;
 - 3. Open terraces, porches and balconies with balustrades or metal railings;
 - 4. Quoins at corners;

18.09.050 Waivers.

- A. Up to four waivers to the applicable objective design standards may be granted, subject to the approval of the director through the administrative adjustment process. The waiver process set forth in this section is a separate process from the concession, incentive, reductions, or waiver pursuant to Chapter 18.80 (Density Bonus and Other Affordable Housing Incentives) of this title and/or other applicable state laws. However, if the concession, incentive, reductions, or waiver is for an objective design standard, it will be counted as one of the four allowed waivers. The request must be made in writing as part of the application for the proposed project. The written justification for a waiver(s) must identify the design standard(s) that is requested to be waived and how the request meets the waiver findings listed below.
- B. Waiver findings. The director will consider the request and information provided and make findings to approve or deny the request. A waiver shall be granted only if all the following findings are made:
 - 1. The proposed project meets the intent of the design standard under consideration, or a similar design standard is implemented in substitution.
 - 2. The project meets the allowed density with the proposed waiver(s).

SECTION 5. Amend Chapter 18.68, Design Review. Section 18.68.050 (Findings) of Title 18 (Zoning) of the La Habra Municipal Code is hereby deleted in its entirety and replaced as follows:

18.68.010 Generally.

Design review is established in order to ensure that site design, buildings, structures, signs, and landscaping will be in harmony with other structures and improvements in the vicinity of the proposed development and consistent with the general plan and the zoning. All multifamily and mixed-use developments shall also comply with the Objective Design Standards under Chapter 18.09 of the La Habra Municipal Code, unless stated either wise under the zoning designation or prevailing Specific Plan of the subject site.

18.68.050 Findings.

In order for the planning commission to approve a design plan, the following finding must be made:

- A. The proposed project is consistent with the city's general plan.
- B. The proposed project is consistent with the city's zoning ordinance.

- C. The proposed project is in the best interests of the public health, safety, and welfare of the community.
- D. The proposed project is consistent the objective design standards under Chapter 18.09 of the La Habra Municipal Code.
 - 1. For projects that are subject to the objective design standards set forth in Chapter 18.09 of this title, the proposed project is consistent with those standards.
 - 2. For projects that are not subject to the objective design standards set forth in Chapter 18.09 of this title, the nature of the proposed land uses and the design is appropriate for the proposed location and compatible with the surrounding land uses and improvements.
- E. The project complies with all requirements of the California Environmental Quality Act, or has been found to be exempt.

SECTION 6. Inconsistencies. Any provision of the La Habra Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to that extent necessary to affect the provisions of this Ordinance.

SECTION 7. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of La Habra declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions be declared invalid or unconstitutional.

SECTION 8. Effective Date. This Ordinance shall take effect thirty (30) days after its final passage.

SECTION 9. Certification. The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published or posted in the manner required by law.

PASSED, APPROVED, AND ADOPTED this ____ day of _____, 2023.

James Gomez, Mayor

ATTEST:

Rhonda J. Barone, CMC
City Clerk

STATE OF CALIFORNIA }
COUNTY OF ORANGE } SS.
CITY OF LA HABRA }

I, Rhonda J. Barone, CMC, City Clerk of the City of La Habra, do hereby certify that the above and foregoing is a true and correct copy of Ordinance No. ____ introduced at a regular meeting of the City Council of the City of La Habra held on the ____ day of _____, 2023, and was thereafter adopted at a regular meeting held on the ____ day of _____, 2023, 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 ____ day of _____, 2023.

Rhonda J. Barone, CMC
City Clerk