

**RESOLUTION NO. 24 – \_\_\_\_\_**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA HABRA, CALIFORNIA, MAKING THE REQUIRED FINDINGS AND APPROVING DESIGN REVIEW 24-0007 TO CONSTRUCT A 19-UNIT APARTMENT COMPLEX ON THE SOUTHEAST CORNER OF STEARNS AVENUE AND SUNSET STREET, AT 1002, 1010, AND 1026 EAST STEARNS AVENUE (ASSESSOR'S PARCEL NUMBERS: 303-113-01, -02, AND, -03), AS PER THE APPROVED PLANS AND SUBJECT TO CONDITIONS, AND MAKING THE DETERMINATION THAT THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO SECTION 15332, CLASS 32: "IN-FILL DEVELOPMENT PROJECTS" OF THE CEQA GUIDELINES

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

- A. On June 26, 2024, the Applicant, Greg Jones from GSJ Stearns, LLC, submitted an application requesting approval of Design Review 24-0007 to construct a 19-unit apartment complex located at the southeast corner of Stearns Avenue and Sunset Street, at 1002, 1010, and 1026 East Stearns Avenue (the "Project").
- B. On August 19, 2024, after receiving corrections from staff on the submitted plans, the Applicant submitted a set of revised plans.
- C. On September 9, 2024, the Planning Commission held a duly noticed public hearing to consider the Applicant's request for Design Review 24-0007.
- D. In making the various findings set forth in this Resolution, the Planning Commission has considered all of the evidence presented by staff, the Applicant, 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 finds and determines that the Project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15332, Class 32: "In-fill Development Projects" of the CEQA Guidelines, in that the Project is consistent with the General Plan designation and all applicable General Plan policies and with the applicable zoning designation and regulations, the Project site is less than five acres and surrounded by urban uses, the Project site has no value as habitat for rare or endangered species, approval of the Project would not result in significant impacts to

traffic, noise, air quality or water quality, and the site can be adequately served by all utilities and public services.

The Project is also not subject to any of the exceptions for exemption under Section 15300.2 of the CEQA Guidelines. The cumulative impact of this Project, and the approval of other projects like it in the vicinity, is not expected to have any significant environmental impact. The Project is not located along any state designated scenic highway nor within any designated hazardous waste site. Staff does not expect any significant impacts or unusual circumstances related to the approval and construction of the project. Therefore, the Project is categorically exempt from CEQA.

**SECTION 2. APPROVAL OF DESIGN REVIEW.** The Planning Commission finds and determines that the Applicant has succeeded in meeting its burden of providing evidence to support the approval of proposed Design Review 24-0007 to construct a 19-unit residential complex at 1002 East Stearns Avenue and approves Design Review 24-0007 based on the following findings required by Section 18.68.050 of the La Habra Municipal Code (LHMC), subject to the conditions of approval attached hereto as **Exhibit A**.

**A. The proposed project is consistent with the City's General Plan.**

Per the General Plan, the property has a land use designation of Mixed-Use Center 3. This designation envisions commercial development as well as multi-unit housing characterized by apartments, condominiums, townhouses, and live/work loft arrangements that include common open space areas. The proposed 19-unit development is consistent with the General Plan's vision for this site. The Mixed-Use Center 3 land use designation also allows for the development of up to 50 dwelling units per acre (du/ac). The proposed 19-unit project is designed with a density of 22 du/ac, which does not exceed the property's maximum allowable count of 42 units.

This Project implements the following policies of the La Habra General Plan 2035: LU 1.2 (Development Capacity) by accommodating the type and density of land use depicted in the Land Use Diagram, LU 2.1 (Places to Live) by adding for-rent housing in La Habra, LU 4.1 (Development Compatibility) by requiring that development is located and designed to assure compatibility among land uses, addressing such elements as building orientation and setbacks, buffering, visibility and privacy, access, and impacts of noise and lighting, LU 4.4 (Design Review) by requiring design review that focuses on achieving appropriate form and function to assure compatibility with community character, while promoting creativity, innovation, and design quality, LU 5.5 (Revitalization of Obsolete and Underused Properties) by facilitating the revitalization of vacant properties, LU 7.2 (New Residential Development) by establishing new residential development, LU 7.3 (Housing Character and Design) by establishing

Spanish influenced design guidelines such as clay tile roofs, wrought iron accents and trims, and arched entryways and balconies to be incorporated into the design of the proposed development, LU 9.2 (Amenities) by the Applicant providing a communal landscaped area with sitting areas, H 1.3 (Support Private Sector Housing Production) by facilitating the production of new housing for the community, H 2.5 (Adequate Housing Sites through Land Use and Zoning of the La Habra General Plan 2035) by proposing a multi-unit residential apartment complex on a site that has the anticipated residential land use within the La Habra Boulevard Specific Plan.

Therefore, the proposed Project is consistent with the City's General Plan.

**B. The proposed project is consistent with the City's Zoning Ordinance.**

The subject property is located within the La Habra Boulevard Specific Plan (SP-1) Zone. The development standards for the La Habra Boulevard Specific Plan Zone are codified in LHMC Chapter 18.44 (SP-1 La Habra Boulevard Specific Plan Zone). Based on staff's review of the Project, as described in the staff report associated with this Resolution, the Project complies with the development standards per Chapter 18.44 of the Zoning Ordinance including building setbacks, height limits, design guidelines, landscaping, open space, and on-site parking. Therefore, the proposed Project is consistent with the City's Zoning Ordinance.

**C. The proposed project is in the best interest of the public health, safety, and welfare of the community.**

The Zoning Ordinance and General Plan are tools to ensure that all projects achieve goals that promote the public health, safety, and welfare of the community. The proposed multi-unit development is located within the La Habra Boulevard Specific Plan Zone and is consistent with the anticipated land use. The Water/Sewer Division sewer and water plans provide a map of the sewer and water pipelines for the overall area and the location the lines will feed into the project location. Staff has determined that the Project's design provides sufficient access for public safety personnel such as Fire and Police and will be serviced by sanitary sewers and storm drains. The City's Traffic Manager also anticipates that the proposed number of vehicle trips generated by the 19-unit development will be negligible. A Traffic Study would be required if the Project generated 40 or more pm peak hour trips. The proposed Project is anticipated to generate less than 40 trips during the pm peak hour. Therefore, the proposed Project is in the best interest of the public health, safety, and welfare of the community.

**D. 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.**

Pursuant to LPMC Section 18.09.030.A, the objective design standards do not apply if the property is within a specific plan, overlay, and/or planned unit development that already implements design standards, in which case those standards shall prevail. Because the subject property is located within the La Habra Boulevard Specific Plan Zone, the objective design standards set forth in Chapter 18.09 of the LPMC do not apply.

As aforementioned, the site is located within the La Habra Boulevard Specific Plan Zone and the anticipated land use permits multi-unit developments of up to 50 du/ac. The proposed density of 22 du/ac is well under this limit. Further, the surrounding properties to the north, south, and west also feature residential developments of various sizes that were constructed as early as the 1920s to as recently as the mid-1960s. The design of the Project takes into consideration the property's location and provides adequate onsite access and interior circulation. The proposed site design provides access to Stearns Avenue to the north as well as Sunset Street to the west. The building setbacks, ADA requirements, onsite amenities, and parking are all consistent with the development standards for multi-unit developments. Therefore, 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.**

This Project was reviewed pursuant to the guidelines of the California Environmental Quality Act (CEQA) and determined to be Categorical Exempt under Section 15332, Class 32: "In-fill Development Projects" of the CEQA Guidelines, in that the Project is consistent with the General Plan designation and all applicable General Plan policies and with the applicable zoning designation and regulations, the Project site is less than five acres and surrounded by urban uses, the Project site has no value as habitat for rare or endangered species, approval of the Project would not result in significant impacts to traffic, noise, air quality or water quality, and the site can be adequately served by all required utilities and public services. The Project is also not subject to any of the exceptions for exemption under Section 15300.2 of the CEQA Guidelines. The cumulative impact of this Project, and the approval of other projects like it in the vicinity, is not expected to have any significant environmental impact. The Project is not located along any state-designated scenic highway nor within any designated hazardous waste site. Staff does not expect any significant impacts or unusual circumstances related to the approval and construction of the Project. Therefore, the Project is categorically exempt from CEQA.

**SECTION 3. NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM.**

The proposal was reviewed pursuant to the requirements of the National Discharge Elimination System (NPDES) and the Local Implementation Plan (LIP). The proposed Project is the redevelopment of an existing vacant site into a new 19-unit residential complex. The site aerial photo shows the current state of the property as well as the surrounding parcels. A conceptual Water Quality Management Plan (WQMP) was reviewed and approved by the City's Engineering Department by the City's Public Works Division which addresses the topography, stormwater collection basins, and proposed water drainage paths for the site. Project-specific conditions pertaining to stormwater discharge and infiltration have been included as part of the conditions of approval. The underground stormwater infiltration basin for the development is located at the southern portion of the site, in the common open space area.

**SECTION 4. NO NET LOSS.** In accordance with California Government Code section 65583, each city's housing element must include an inventory of land suitable and available for residential development to meet the locality's housing need for each of the designated income levels of the assigned Regional Housing Needs Assessment (RHNA) allocation. Additionally, if the City allows development of a site with less units by income level than identified in the Housing Element for that site, the City must make written findings supported by substantial evidence as to whether there are remaining sites identified in the Housing Element to accommodate the City's share of regional housing needs, including a quantification of the remaining unmet need for each income level.

- A. The subject property is identified as Site #11 in Table HE-4.4 (RHNA Production and Sites Credit) of the City's 2021-2029 Housing Element, and anticipated for the development of 39 units affordable to moderate-income households and seven units affordable to low-income households.
- B. The Project involves the development of 19 market rate units, which will be credited toward meeting the City's above-moderate RHNA allocation. The Project does not provide the total lower and moderate income units assumed.
- C. There are still sufficient sites available within the City's site inventory to meet the City's housing needs in the lower and moderate income categories. The City received a RHNA allocation of 804 units to plan for the 2021-2029 planning period. However, the Housing Element plans for a total of 1,232 units, exceeding the City's RHNA allocation. While the Project is not providing the number of housing units of each identified income level as assumed in the Housing Element, there are more than sufficient sites remaining that are identified in the Housing Element to accommodate the City's share of regional housing for the 2021-2029 planning period.

**SECTION 5. APPEAL.** The approvals granted by this Resolution may be appealed within 10 working days from adoption of this Resolution. All appeals must be in

writing and filed with the City Clerk within this time period with the appropriate fee. Failure to file a timely written appeal will constitute a waiver of any right of appeal.

**SECTION 6. 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 Project. 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 7. EFFECTIVE DATE.** This Resolution shall take effect immediately.

**SECTION 8. CERTIFICATION.** The Secretary shall certify the passage of this Resolution.

PASSED, APPROVED, and ADOPTED this 9th day of September, 2024.

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Jason Manley, Chair

I, Veronica Lopez, Secretary to the Planning Commission of the City of La Habra, do hereby certify that the foregoing Resolution No. 24 – \_\_\_\_\_ was adopted at a regular meeting of the City of La Habra Planning Commission held on September 9, 2024 by the following vote:

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

\_\_\_\_\_  
Veronica Lopez, Secretary

## EXHIBIT A

### CONDITIONS OF APPROVAL

#### **General Conditions:**

##### Standard Condition 1.1 CODE COMPLIANCE

The Applicant/developer shall comply with all the City of La Habra Municipal Code and all applicable 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

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.

##### Standard Condition 1.4 LA COUNTY FIRE DEPARTMENT

The property owner shall comply with the Los Angeles County/La Habra Fire Code and Fire Department requirements, as applicable.

##### 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

This approval is for those plans reviewed and approved by the City of La Habra Planning Commission at its meeting of September 9, 2024. 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/developer shall be grounds for rehearing and consideration by the Planning Commission for possible revocation of Design Review 24-0007.

#### Standard Condition 1.8 VIOLATION

In the event that the property owner/business operator 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 LANDSCAPE 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 from the date of approval of this resolution. 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 driveways and parking areas every five (5) years at a minimum from the date of approval of this resolution. The Director of Community and Economic Development or designee may require more frequent slurry and re-stripping if the parking area is not maintained in good condition.

#### Standard Condition 1.41 INDEMNIFICATION

To the maximum extent permitted by law, the Applicant and any successor in interest shall defend, indemnify and hold harmless the City of La Habra and its elected and appointed officials, officers, agents and employees from and against any and all actions, claims, damages, liabilities and/or proceedings (collectively referred to as "action") arising

out of or in any way relating to the applicant's project or any approvals granted by the City related to the Applicant's project, including, but not limited to, any action to attack, challenge, set aside, void, or otherwise modify or annul the approval of any entitlement or permit relating to the project or the environmental review of any entitlement relating to the project. The indemnification and hold harmless shall include, but not be limited to, any and all costs incurred by the City in defense of any action arising out of or relating to the Applicant's project or any approvals granted by the City related to the Applicant's project, including, but not limited to, payment of all court costs and attorneys' fees, costs of any judgements or awards against the City (including any award of attorneys' fees), damages, and/or settlement costs. The City shall have the right to choose its own legal counsel to represent the City's interests, and Applicant shall indemnify City for such costs incurred by the City.

**Prior to the issuance of grading permits:**

Standard Condition 1.24 MASTER PLAN OF DRAINAGE

The Applicant/developer shall provide drainage facilities and easements in accordance with the Master Plan of Drainage and to the specifications of the City Engineer.

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 3.2 SLOPE EASEMENT/RIGHT-OF-ENTRY

The Applicant/developer shall obtain either slope easements or right-of-entry letters from the adjacent property owner(s) for any grading outside of the project boundaries.

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 property line or a drainage acceptance letter shall be obtained from the downstream property owner to the satisfaction of the Chief Building Official and City Engineer.

### Standard Condition 3.6 STORM WATER POLLUTION PREVENTION PLAN

The Applicant/developer shall demonstrate that coverage has been obtained under the Construction General Permit (CGP) by providing a copy of the Notice of Intent (NOI) submitted to the State Water Resources Control Board and a copy of the subsequent notification of the issuance of a Waste Discharge Identification (WDID) Number or other proof of filing shall be provided to the Chief Building Official and the City Engineer or designee. Projects subject to this requirement shall prepare and implement a Storm Water Pollution Prevention Plan (SWPPP). A copy of the current SWPPP shall be kept at the project site and be available for review on request. Best Management Practices shall be used during construction to prevent construction materials and soil from entering the storm drain.

### 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 to 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 Applicant/developer for review and approval. Grading shall be in substantial conformance to the Tentative Parcel Map and the proposed grading that is approved by the Planning Commission. Grading security shall be posted to the satisfaction of the Chief Building Official and the City Attorney guaranteeing completion of grading within the project.

### 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. The sewer and water facilities will be maintained by the Applicant/developer.

### Standard Condition 4.9 PARK DEVELOPMENT FEES

The Applicant/developer shall pay any applicable City of La Habra Park Development Fees 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 4.18 WATER AND/OR SEWER SERVICE

The Applicant/developer shall submit development plans for the property to the Public Works Department so that the Utility Authority can establish the Terms and Conditions for Water and/or Sewer Service.

#### 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.

#### **Prior to the issuance of building permits:**

#### 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 4.3 FINAL WATER QUALITY MANAGEMENT PLAN

The Applicant/developer shall submit a Final Priority WQMP to the City for review and approval. This plan shall address the following:

1. Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizing directly connected impervious areas, creating reduced or zero discharge areas, and conserving natural areas.
2. Incorporates the applicable Routine Source Control BMPs as defined in the Drainage Area Management Plan (DAMP).
3. Incorporates Treatment Control BMPs as defined in the DAMP.
4. Generally, describes the long-term operation and maintenance requirements for the Treatment Control BMPs.
5. Identifies the entity that will be responsible for the long-term operations and maintenance of the Treatment Control BMPs.
6. Describes the mechanism for funding the long-term operation and maintenance of Treatment Control BMPs.

**Standard Condition 4.7 RECORDATION OF FINAL MAP**

The Applicant/developer shall prepare and record a Final Parcel Map per the requirements of the City Engineer, prior to the issuance of building permits for the first unit, as per the Subdivision Map Act and the La Habra Municipal Code.

**Standard Condition 4.10 SITE PHOTOMETRIC PLAN**

The Applicant/developer shall submit a site photometric 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 4.11 STREET LIGHT INSTALLATION**

The Applicant/developer shall be responsible for installing new street lights to include footings with electrical wiring conduits placed underground, to the satisfaction of the City Engineer and Southern California Edison Company. The Applicant/developer shall pay the advance energy charges. Proof of installation order of the actual street lights shall be provided by the Applicant/developer prior to building permit issuance.

**Standard Condition 4.12 TRAFFIC STRIPING AND SIGNING PLAN**

The Applicant/developer shall provide an on-site and off-site traffic striping and traffic signing plan to the satisfaction of the City Engineer.

**Standard Condition 4.13 STREET STRUCTURAL SECTIONS**

The Applicant/developer shall submit all street structural sections for new and reconstructed streets to the City Engineer for review and approval.

**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 4.17 UNDERGROUND UTILITIES

The Applicant/developer shall provide an approved utility company plan to the City Engineer showing that all on-site utilities within the project be installed underground in accordance with current utility practices prior to the issuance of building permits. Should aboveground equipment boxes be utilized, they shall be aesthetically enhanced to match the surrounding development as approved by the Director of Community Development in accordance with the requirements of the utility company. All on-site utilities shall be installed prior to Certificate of Occupancy and before final on-site paving and parkway improvements. All existing aerial utilities shall be removed and/or placed underground including street light wires and other overhead wires. The City Engineer shall have the right to comment, modify, approve or disapprove the utility plan for each utility. The Applicant/developer shall contact the utility providers early in the project to determine undergrounding procedures.

#### 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 project within the street landscape setback to the satisfaction of the Director of Community and Economic Development or designee.

#### Standard Condition 4.22 LANDSCAPE PLANS

The Applicant/developer shall submit for review and approval detailed landscape and irrigation plans prepared by a licensed landscape architect to the Director of Community and Economic Development or designee and the Director of 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 five (5) gallon size.

#### Standard Condition 4.23 PERIMETER WALL PLANS

The Applicant/developer shall submit for review and approval a plan to enclose the property with a decorative masonry wall with decorative cap, the design to be approved by the Director of Community and Economic Development or designee. An acceptable type of masonry block shall be split face, slump stone, or stucco-coated block.

#### Standard Condition 4.25 TRASH ENCLOSURE (Modified)

The Applicant/developer shall provide plans for review by the City Engineer to install six-foot tall decorative masonry block trash enclosure with enough area to contain a four-yard refuse bin and a four-yard recycling bin and one 90-gallon organics cart. The trash enclosure shall be finished to match the apartment buildings. The 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 4.29 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

The Applicant/developer shall pay the Citywide Traffic Improvement Fee, determined to be \$2,360.94, prior to the issuance of a building permit.

**Prior to authorization to use, occupy, and/or permit final:**

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 1.26 GAS MAINS

The Applicant/developer shall install all proposed gas mains and services prior to final paving within tract boundaries as required by the City Engineer.

Standard Condition 4.6 NPDES - COVERAGE

The Applicant/developer shall demonstrate that coverage under California's General Permit for Stormwater Discharges has been obtained for industrial facilities as defined by Standard Industrial Classification (SIC) code, prior to grading or building permit close-out and/or the issuance of a certificate of use or a certificate of occupancy. A copy of the Notice of Intent (NOI), submitted to the State Water Resources Control Board notification through the issuance of a Waste Discharge identification (WDID) Number, shall be provided to the City Engineer or other proof of filing.

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 5.4 STREET LIGHT INSTALLATION

The required street lights shall be installed to the satisfaction of the City Engineer and Southern California Edison.

Standard Condition 5.7 LANDSCAPE 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 5.10 FINAL WATER QUALITY MANAGEMENT PLAN – BEST MANAGEMENT PRACTICES**

The Applicant/developer shall demonstrate the following related to the WQMP to the satisfaction of the City Engineer or designee:

1. All structural BMPs described in the Priority Project WQMP/ Non-Priority Project Water Quality Plan (WQP) have been constructed and installed in conformance with approved plans and specifications.
2. The applicant is prepared to implement all non-structural BMPs described in the WQMP.
3. An adequate number of copies of the approved WQMP are available on-site and for the future occupiers.
4. 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.

**Standard Condition 5.17 UP LIGHTING**

The Applicant/developer shall provide up lighting on all trees within the public right of way and front landscape area prior to the issuance of a Certificate of Occupancy to the satisfaction of the Director of Community and Economic Development and City Engineer.

**Project specific conditions:**

1. The Applicant/developer shall remove the existing drive approaches and install full height curb along Stearns Avenue and Sunset Street. New drive approaches with parkway landscaping shall be installed per the approved the site plan. The Applicant/developer shall perform all of this work prior to the issuance of a Certificate of Occupancy.
2. The Applicant/developer shall pay the Traffic Administration Fee of \$373.00 to the Traffic Manager, prior to the issuance of a building permit.
3. The Applicant/developer shall process a Tentative Parcel Map to merge the three (3) existing parcels that make up the site, prior to the issuance of a grading permit.
4. The Applicant/developer shall pay the Inclusionary Housing In-Lieu Fee of \$6.50 per square foot of building space, in accordance with Chapter 18.82 of the La Habra Municipal Code, to the Finance Department, prior to the issuance of a building permit.
5. The Applicant/developer 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 or designee prior to the issuance of building permits.
6. 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.
7. Review and approval by the County of Los Angeles Fire Department, Fire Prevention Engineering Section Building Plan Check Unit may be required prior to building permit issuance. The Applicant/developer shall contact the Fire Prevention Engineering Unit at (323) 890-4125 for information regarding the EPICLA submittal requirements.
8. The Applicant/developer shall install and maintain in a serviceable manner all onsite Fire Department vehicular access roads prior to and during the time of construction in accordance with California Fire Code section 501.4.
9. The Applicant/developer shall maintain all fire lanes clear of all encroachments at all times in accordance with Title 32 of the County of Los Angeles Fire Code.
10. The Applicant/developer shall provide a road with a minimum unobstructed width of 26 feet, exclusive of shoulders and an unobstructed vertical clearance "clear to

sky” Fire Department vehicular access to within 150 feet of all portions of the exterior walls of the first story of the building, as measured by an approved route around the exterior of the building in accordance with California Fire Code sections 503.1.1 and 503.2.2.

11. The Applicant/developer shall provide for firefighting and rescue purposes a minimum 5-foot-wide firefighter access walkway leading from the Fire Department access road to all required openings in the buildings exterior walls as approved by the County of Los Angeles Fire Department in accordance with California Fire Code section 504.1.
12. The Applicant/developer shall provide all proposed structures with automatic fire sprinkler systems that are designed and maintained in accordance with NFPA 13. Approved automatic sprinkler systems in new buildings and structures shall be provided in locations described in Sections 903.2.1 through 903.2.12 of the County of Los Angeles Fire Code.
13. Landscape planters shall be surrounded by masonry or concrete curbs and so arranged as to prevent motor vehicles from driving onto or over them.
  - (a) Trees planted adjacent to existing overhead utility wires shall be subject to the height and clearance restrictions set in place by the applicable utility providers.
  - (b) Tree species requiring hard pruning to maintain utility clearance once trees are mature shall be avoided.
  - (c) Ensure that right-of-way trees are spaced in a manner where they do not obstruct clear sight lines.
  - (d) Planters between parking lot and storefronts shall be protected from foot traffic by a perimeter curb, or potentially, raised planters at seat wall height.
14. All non-lawn landscape areas shall be supplemented with a 3” layer of wood mulch or decorative gravel/ cobble material, so that no bare soil is left exposed on site.
15. All rooftop mounted mechanical equipment shall be screened from public view. This can be accomplished by Architectural Treatments of parapets equal in height to the tallest piece of roof-mounted equipment.
16. All trees in planter islands, or within six feet (6) of hardscape, shall be planted with root barriers.
17. Common Open Space area shall include at least two (2) park benches, one (1) dog waste bag dispenser, and one (1) dog waste bin.
18. All tenants shall be vetted through the Orange County Crime-Free, Multi-Unit Housing Program.

19. The Applicant/developer shall submit the security system/camera plan to the City for review by the City's Police Department for adequacy.
20. To avoid fragmentation of ownership and maintenance, the residential construction shall remain under common ownership or subject to the establishment of an overall management entity responsible for maintenance requirements. Should the housing complex designated in the site plan be proposed to change from a "for rent" product to a "for sale" product (i.e. condominiums), the Applicant shall first submit a tract map application in accordance with applicable law.
21. Should the property remain undeveloped for longer than 18 months after initial grading has been completed, the Applicant/developer shall submit an interim landscape plan, consisting of temporary measures for screening, hydro-seeding, and dust control. Such plan shall include the timing of installation of necessary measures, and shall be approved by the Director of Economic and Community Development.
22. All ground mounted, as well as wall mounted mechanical, electrical, or gas equipment shall be screened from public view by the use of landscaping and/or architectural treatments compatible with the adjoining Building's architectural design.
23. The Applicant/developer shall inform the future tenants of the project of the citywide prohibition against parking on public streets overnight.
24. The Applicant/Developer shall provide a final trash pick-up plan to the Director of Community and Economic Development and City Engineer for review and approval prior to the issuance of any building permits.