

## ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, MAKING THE REQUIRED FINDINGS AND APPROVING A PLANNED UNIT DEVELOPMENT PERMIT (PUD2M24-0002) TO CONSTRUCT A 22-UNIT RESIDENTIAL COMPLEX (INCLUDING FOUR UNITS FOR SALE TO MODERATE-INCOME HOUSEHOLDS) AT 300 SOUTH WALNUT STREET (ASSESSOR'S PARCEL NUMBER 298-066-16), AS PER THE APPROVED PLANS AND SUBJECT TO CONDITIONS, AND MAKING THE DETERMINATION THAT THE PLANNED UNIT DEVELOPMENT (PUD2M24-0002) IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO SECTION 15332, CLASS 32: "INFILL DEVELOPMENT PROJECTS" OF THE CEQA GUIDELINES

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

**WHEREAS**, on September 9, 2024, the Applicant, Chris Segesman, of Bonanni Development Company, submitted an application for Tentative Tract Map No. 19344 (TTM 24-0004) to allow a residential subdivision to create 22 condominium units, and an application for a Planned Unit Development permit (PUD2M24-0002) to construct a 22-unit residential complex (including four units for sale to moderate-income households), at 300 South Walnut Street ("the Project"); and

**WHEREAS**, because the Applicant has committed to selling four of the units of the proposed development to moderate-income households, which totals at least 15 percent of the total units of the proposed development, under the State Density Bonus Law, the Applicant is entitled to a density bonus of 10 percent, waivers/reductions in development standards, and reduced parking requirements; and

**WHEREAS**, on January 13, 2025, the Planning Commission held a duly noticed public hearing to consider the Applicant's request for Tentative Tract Map No. 19344 (TTM 24-0004) and the Planned Unit Development permit (PUD2M24-0002), at which time it considered all material and evidence, whether written or oral, and the procedures and standards required by the La Habra Municipal Code. The Planning Commission adopted Resolution No. 25-02, approving Tentative Tract Map No. 19344 (TTM 24-0004) and recommending that the City Council approve the Planned Unit Development (PUD2M24-0002); and

**WHEREAS**, on March 17, 2025, the City Council held a duly noticed public hearing to consider the proposed Planned Unit Development permit (PUD2M24-0002), at which time it considered all material and evidence presented, whether written or oral, including the Planning Commission's recommendation; and

**WHEREAS**, all legal requirements prior to the adoption of this Ordinance have occurred.

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

**SECTION 1. State Density Bonus Law.** The Applicant has committed to selling four of the units of the proposed development to moderate-income households. Accordingly, the Applicant is entitled to the following pursuant to the State Density Bonus Law:

- A. The Project is entitled to a density bonus of two units.
- B. The Project is entitled to a reduction in the minimum dimensions for ground-floor patios from a minimum width of eight (8) feet to six (6) feet for Unit 1s and Unit 3s and a minimum width of five (5) feet for Unit 2s because the Project cannot be physically built as proposed without such reductions.

**SECTION 2. Approval of Planned Unit Development Permit (PUD2M24-0002).** The City Council finds and determines that the Applicant has succeeded in meeting its burden of providing evidence to support the granting of and approves the Planned Unit Development permit (PUD2M24-0002) based on the following findings required by Section 18.52.095 of the La Habra Municipal Code and subject to the conditions attached hereto as **Exhibit A**.

- A. That the location, design and proposed uses are compatible with the character of existing development in the vicinity.**

The Project site is surrounded by residential uses. The Project has been reviewed under the development standards of the R-3 Zone and the PUD Overlay Zone as well as the LHMC Chapter 18.09 Objective Design Standards for Multi-Unit Development and found to be consistent with these requirements. The Applicant has proposed a Spanish/Mediterranean design that includes Sherwin-Williams “Alpaca” and “White Snow” colored stucco exteriors with a variety of accents that include contrasting taupe foam window trims, “Red Oak” clay s-tile roofing, second-story wrought iron elements, and “Black Bean” wooden awnings, faux shutters, entry doors, and fascia trims. The ground-floor garage doors are comprised of anodized metal but have wood finish cladding, reminiscent of historic mission-style doors. The second floor of the buildings consists of various windows accented by wooden faux shutters. Additional pop-out accents along the sides of each building provide a varying perception of depth.

By providing four units affordable to moderate-income households, the Applicant is eligible to utilize the State Density Bonus Law to increase the permitted number of units on the Project site, reduce the parking

requirements for two and three-bedroom units, and reduce the PUD Overlay Zone's minimum requirement for ground-floor private patio dimensions. Therefore, the location, site design and proposed use are consistent with the surrounding residential developments within the vicinity as well as the site's zoning designation.

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

The Project was screened through the North Orange County Collaborative VMT (Vehicle Miles Traveled) Traffic Study Screening Tool. According to the screening tool, the Project is located within a Low VMT Generating Zone. Per the Office of Planning and Research (OPR), a small project can be screened from VMT analysis if it is determined that the daily net trips will be less than 110 trips. Based on the Project size, the net daily trips are expected to be 99 trips (148 trips anticipated – 49 trips existing). Additionally, Walnut Street is classified as a Commuter Arterial roadway, which is designated as a two-lane undivided, unrestricted access roadway, with an ultimate right-of-way width of 60 feet and a curb-to-curb width of 40 feet. While the number of trips generated by this development was anticipated in the Circulation Element of the General Plan, a five-foot street dedication along the Walnut Street frontage will be included as part of the construction to bring the curb-to-curb width up to the 40-foot standard. Otherwise, the proposed development is not anticipated to cause any further traffic congestion along Walnut Street or the surrounding area. Additionally, the interior drive aisles are of adequate and appropriate width for two-way vehicular traffic and circulation is satisfactory of the minimum 20-foot drive aisle width for fire access even on trash pick-up days. Lastly, building heights, lot coverage, landscaping, and vehicular access regarding this Project make for a development that is cohesive with the surrounding properties. Therefore, the Project will produce, internally, an environment of stable and desirable character, and will not tend to cause any traffic congestion on surrounding or access streets.

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

The Applicant filed applications for Tentative Tract Map 19344 (TTM24-0004) and a Planned Unit Development permit (PUD2M24-0002) for this proposed Project. At the January 13, 2025 Planning Commission meeting, the Planning Commission adopted Resolution No. 25-02, approving Tentative Tract Map 19344 (TTM24-0004) and recommending that the City Council introduce an ordinance to approve the Planned Unit Development (PUD2M24-0002). Therefore, all required applications have been processed.

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

The Project site is located within the Limited Multiple Family Dwelling (R-3) Zone, which implements the General Plan's Residential Medium Density land use designation, and the Planned Unit Development (PUD) Overlay Zone. The regulations set forth in the PUD Overlay Zone are in addition to the regulations set forth in the underlying zone (R-3 Zone). The Project has been reviewed under the development standards of the R-3 Zone and the PUD Overlay Zone as well as LHMC Chapter 18.09 (Objective Design Standards for Multi-Unit Residential and Mixed-Use Development) and found to be consistent with the development standards pertaining to building height, lot coverage, setbacks, and onsite landscaping. Pursuant to the State Density Bonus Law, by providing affordable housing, the Applicant is eligible to increase the permitted number of units on the Project site. Based on the size of the Project site, the R-3 Zone permits a maximum of 20 dwelling units to be developed on the property; the State Density Bonus Law, which is implemented in LHMC Chapter 18.80, allows the Applicant to increase the permitted density (20 units) by 10 percent (2 units) in exchange for making at least 15 percent (4 units) of the 22 total units affordable to moderate-income households. Additionally, pursuant to the State Density Bonus Law, the Applicant is entitled to a waiver/reduction in the PUD Overlay Zone's ground-floor private patio dimensions. Further, the Project is granted reduced parking requirements under the State Density Bonus Law, although the Applicant has provided a total of 15 more parking spaces than required for this site. Therefore, the applicable development standards are clearly designated.

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

The subject site is located within a residential area, in the Limited Multiple Family Dwelling (R-3) Zone. The existing building on the site was last occupied in 2021 by Kilian Fire Sprinkler Corporation, a nonconforming use. The proposed development of the site with a multi-unit residential project will bring the site into conformance with the current zoning designation. There are single-story single-unit residences to the north, south, and west of the site and a two-story multi-unit apartment complex to the east. The development includes new six-foot tall block walls along the northern and southern boundaries and the reuse of the existing seven-foot tall block wall along the eastern boundary to ensure both security and privacy for both tenants of this development and residents of the surrounding properties. Therefore, the proposed development will be well integrated into its setting.

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

The proposed Project meets the minimum open space requirements for the PUD Overlay Zone, which requires 250 square feet of private and common open space per unit. As shown in the table below, the proposed width of the ground-floor patios does not meet the minimum eight-foot dimension required for the R-3 Zone; however, the Applicant is entitled to and has requested a waiver/reduction in the minimum dimensions pursuant to the State Density Bonus Law. The Applicant has conveyed that the reduced width of the patios is necessary due to the overall size of the site because complying with the minimum dimension requirements for the width of the patios would decrease the interior square footage and livable space and possibly even eliminate units. Further, the length and the size of the overall patio area exceeds the minimum requirements.

**Table 4: Open Space Requirements**

R-3 Zone	Minimum Dimension Required	Dimensions Proposed (Length x Width)	Minimum Area Required	Area Proposed
Private Area (Ground-Floor Patio)	8 ft	Unit 1: ~ 21.1 ft x 6.3 ft Unit 2: ~ 23.7 ft x 5.3 ft Unit 3: ~ 23.7 ft x 6.3 ft	96 sq ft	Unit 1: ~ 133 sq ft Unit 2: ~ 126 sq ft Unit 3: ~ 149 sq ft

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

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

The Project will provide a total of 9,299 square feet of common usable yard area that will feature a patio cover with lighting, barbeque grills, and a seating area. The community amenities will be maintained through the establishment of Conditions, Covenants and Restrictions (CC&Rs), which is a condition of approval for the Tentative Tract Map. Further, the conditions of approval for the Planned Unit Development require the development of the Project to be in substantial conformance with the final plans as approved by the Planning Commission and City Council. Therefore, suitable provision is made for the protection and maintenance of private areas reserved for common use.

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

The Project scope involves the demolition of an existing nonconforming industrial building and redevelopment of the site with a multi-unit residential complex on a parcel zoned for multi-unit use. There will be no substantial change to the City's ability to provide services to the site as a trip generation analysis was prepared and concluded that the net daily trips along Walnut Street as a result of the Project are expected to be 99 trips (148 trips anticipated – 49 trips existing), which is below the 110 trip threshold that would trigger a VMT study and further analysis of anticipated traffic around the site. The site is adequately served by the La Habra Police Department, the Los Angeles County Fire Department, the City of La Habra (water, trash, and sewer), and parks. In addition, each public safety division of the City has also reviewed the Project and provided any necessary conditions of approval. All Project-related public utilities, infrastructure, and services are already in place. Therefore, the Project does not negatively impact the City's ability to provide services over the short and long term to City residents.

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

This Project was reviewed pursuant to the guidelines of the California Environmental Quality Act (CEQA) and determined to be categorically 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, the Project site is less than five acres and surrounded by urban uses. The site is currently developed with a legal, nonconforming industrial building that was last occupied by Kilian Fire Sprinkler Corporation in 2021. As a result, the Project site has no value as a habitat for rare or endangered fish or wildlife. The Project was screened through the North Orange County Collaborative VMT (Vehicle Miles Traveled) Traffic Study Screening Tool. VMT measures the per capita number of car trips generated by a Project and distance vehicles will travel to and from a project. The use of VMT for analyzing transportation impacts emphasizes the reduction in the number of vehicle trips and vehicle miles traveled to encourage the development of jobs, housing and commercial uses in proximity to each other and near public transportation. According to the screening tool, the Project is located within a Low VMT Generating Zone. Per the Office of Planning and Research (OPR), a small project can be screened from VMT analysis if it is determined that the daily net trips will be less than 110 trips. Based on the Project size, the net daily trips are expected to be 99 trips (148 trips anticipated – 49 trips

existing). Therefore, the Project is not subject to a VMT analysis. Lastly, approval of the Project would not result in significant impacts to noise, air quality or water quality, as the Project is a residential development proposed on a residentially zoned parcel and surrounded by existing residential developments on all sides. Because this is a redevelopment project, the site can and will continue to be adequately served by all utilities and public services. Therefore, the Project is categorically exempt from CEQA.

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

The Applicant has indicated that they will submit construction drawings for building plan check immediately upon completion of the entitlement process. Therefore, the Applicant has provided a reasonable assurance that the Applicant intends to and will proceed with execution of the Project without undue delay.

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

The General Plan designates the Project site for Residential Medium Density (Up to 14 units/ac) land use, and it is located within the Limited Multiple Family Dwelling (R-3) Zone, which implements the General Plan's Residential Medium Density land use designation, and the Planned Unit Development (PUD) Overlay Zone. The regulations set forth in the PUD Overlay Zone are in addition to the regulations set forth in the underlying zone (R-3 Zone). The Project has been reviewed under the development standards of the R-3 Zone and the PUD Overlay Zone as well as LHMC Chapter 18.09 (Objective Design Standards for Multi-Unit Residential and Mixed-Use Development) and found to be consistent with these requirements, except for those development standards for which the Applicant is entitled to waivers/reductions pursuant to the State Density Bonus Law. By providing affordable housing, the Applicant is eligible to utilize the State Density Bonus Law to increase the permitted number of units on the Project site. Based on the size of the Project site, the R-3 Zone permits a maximum of 20 dwelling units to be developed on the property; the State Density Bonus Law, which is implemented in LHMC Chapter 18.80, allows the Applicant to increase the permitted density (20 units) by 10 percent (2 units) in exchange for making at least 15 percent (4 units) of the 22 units affordable to moderate-income households. Additionally, pursuant to the State Density Bonus Law, the Applicant is entitled to a waiver/reduction in the PUD Overlay Zone's ground-floor private patio dimensions. Further, the Project is granted reduced parking requirements pursuant to the State Density Bonus Law, although the

Applicant has provided a total of 15 more parking spaces than required for this site. Therefore, there is substantial compliance with the spirit and intent of the Zoning Ordinance.

**SECTION 3. Environmental Compliance.** This Project was reviewed pursuant to the guidelines of the California Environmental Quality Act (CEQA) and determined to be categorically 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, the Project site is less than five acres and surrounded by urban uses. The site is currently developed with a legal, nonconforming industrial building that was last occupied by Kilian Fire Sprinkler Corporation in 2021. In addition, the Conservation/Natural Resources chapter of the General Plan does not identify the Project site as an area of biological sensitivity. As a result, the Project site has no value as a habitat for rare, endangered or threatened fish or wildlife. The Project was screened through the North Orange County Collaborative VMT (Vehicle Miles Traveled) Traffic Study Screening Tool. VMT measures the per capita number of car trips generated by a project and distance vehicles will travel to and from a project. The use of VMT for analyzing transportation impacts emphasizes the reduction in the number of vehicle trips and vehicle miles traveled to encourage the development of jobs, housing and commercial uses in proximity to each other and near public transportation. According to the screening tool, the Project is located within a Low VMT Generating Zone. Per the Office of Planning and Research (OPR), a small project can be screened from VMT analysis if it is determined that the daily net trips will be less than 110 trips. Based on the Project size, the net daily trips are expected to be 99 trips (148 trips anticipated – 49 trips existing). Therefore, the Project is not subject to a VMT analysis. Lastly, approval of the Project would not result in significant impacts to noise, air quality or water quality, as the project is a residential development proposed on a residentially zoned parcel and surrounded by existing residential developments on all sides. Because this is a redevelopment project, the site can and will continue to be adequately served by all utilities and public services.

The Project is 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 City Council finds and determines that the Planned Unit Development (PUD2M24-0002) is categorically exempt from CEQA and directs staff to file the Notice of Exemption for the Planned Unit Development (PUD2M24-0002).

**SECTION 4. 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 5. Effective Date.** This Ordinance shall take effect thirty (30) days after its final passage.

**SECTION 6. 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 \_\_\_\_\_, 2025.

\_\_\_\_\_  
Rose Espinoza, Mayor

ATTEST:

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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 17th day of March, 2025, and was thereafter adopted at a regular meeting held on the \_\_\_\_ day of \_\_\_\_\_, 2025, 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 \_\_\_\_\_, 2025.

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Rhonda J. Barone, CMC  
City Clerk

## EXHIBIT A

### PLANNED UNIT DEVELOPMENT PERMIT (PUD2M24-0002) CONDITIONS OF APPROVAL

#### **General Conditions:**

##### Standard Condition 1.1 CODE COMPLIANCE

The Applicant/Developer/successor in interest shall comply with all the City of La Habra Municipal Code and all applicable federal, state and local laws, ordinances, policies and regulations.

##### 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/successor in interest 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 Applicant/Developer/successor in interest 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 recommended for approval by the City of La Habra Planning Commission at its meeting on January 13, 2025 and approved by the City Council at its meeting on April 7, 2025. 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 Applicant/Developer/successor in interest shall be grounds for rehearing and consideration by the Planning Commission and/or the City Council for possible revocation of the Planned Unit Development permit (PUD2M24-0002).

#### Standard Condition 1.8 VIOLATION

In the event that the Applicant/Developer/successor in interest 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 (Modified)

The Applicant/Developer/successor in interest 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 (Modified)

The Applicant/Developer/successor in interest 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 project approval, unless otherwise approved by the Director of Community and Economic Development. 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 (Modified)

The Applicant/Developer/successor in interest shall re-slurry and re-stripe the driveways and parking areas every five (5) years at a minimum from the date of project approval. 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 STUDY (Modified)

The Applicant/Developer shall provide a complete hydrology 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 Tract 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/successor in interest.

#### 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 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 Tract 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 4.12 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 4.14 PARKING LOT STRUCTURAL SECTIONS**

The Applicant/Developer shall provide parking lot structural sections, which shall be based on recommendations of a soils engineer, for review and approval 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 (Modified)

The Applicant/Developer shall submit for review a plan to remove the existing CMU block walls along the northern and southern boundaries of the property and construct new 6-foot tall CMU block walls with decorative caps, 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 4.29 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 all fees related to the requirements of the Citywide Traffic Improvement Fee.

**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 5.7 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/Developer 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 Walnut 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 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.
4. The Applicant/Developer shall place all mailboxes in accordance with U.S. Postal Regulations, as reviewed and approved by the Director of Community and

Economic Development and the La Habra Postmaster prior to the issuance of a Certificate of Occupancy.

5. 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.
6. 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.
7. 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.
8. The Applicant/Developer shall provide a road with a minimum unobstructed width of 20 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.
9. 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.
10. 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.
11. 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 established by the applicable utility providers.
  - (b) Tree species requiring hard pruning to maintain utility clearance once trees are mature shall be avoided.
  - (c) Applicant/Developer shall ensure that right-of-way trees are spaced in a manner where they do not obstruct clear sight lines.

12. All non-lawn landscape areas shall be supplemented with a three-inch layer of wood mulch or decorative gravel/cobble material, so that no bare soil is left exposed on site.
13. 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.
14. All trees in planter islands, or within six feet of hardscape, shall be planted with root barriers.
15. Each of the three (3) sitting areas shall include at least one (1) bench, one (1) dog waste bag dispenser, and one (1) dog waste bin.
16. The Applicant/Developer shall submit the security system/camera plan to the City for review by the City's Police Department for adequacy.
17. 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 subject to review and approval by the Director of Economic and Community Development.
18. 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.
19. The Applicant/Developer shall inform the future tenants of the project of the citywide prohibition against parking on public streets overnight.
20. 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.
21. The Applicant/Developer shall enter into an affordable housing agreement with the City in accordance with the State Density Bonus Law and La Habra Municipal Code Chapter 18.80 in form and substance acceptable to the City, as approved by the City Attorney. In the event of any conflict between the State Density Bonus Law and any provision of the La Habra Municipal Code, the State Density Bonus Law shall prevail. City Council approval and recordation of the affordable housing agreement is required prior to the issuance of building permits. The agreement shall provide that the four units shown on the plans reviewed and recommended for approval by the Planning Commission on January 13, 2025 approved by the City Council April 7, 2025 shall be affordable for households of moderate income.

The Applicant/Developer shall submit a copy of the recorded affordable housing agreement prior to the issuance of building permits.

22. The Applicant/Developer shall comply with any housing guidelines developed to accompany the affordable housing agreement.
23. The Applicant/Developer shall be required to pay for all of City's costs relating to the affordable housing, including drafting any agreements and housing guidelines and City's costs relating to verification of purchasers.