



City of
LA HABRA

Planning Commission Report

Item No. 1.

MEETING DATE: January 13, 2025

TO: PLANNING COMMISSION

FROM: SUSAN KIM, DIRECTOR OF COMMUNITY & ECONOMIC DEVELOPMENT
By: Ash Syed, Senior Planner

SUBJECT: DULY NOTICED PUBLIC HEARING TO CONSIDER A REQUEST FOR TENTATIVE TRACT MAP NO. 19344 (TTM 24-0004) TO ALLOW A RESIDENTIAL SUBDIVISION FOR CONDOMINIUM PURPOSES AND PLANNED UNIT DEVELOPMENT 24-0002 TO CONSTRUCT 22 MULTI-UNIT DWELLINGS (TOWNHOMES) AT 300 SOUTH WALNUT STREET (ASSESSOR'S PARCEL NUMBER 298-066-16)

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):

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 Project is categorically exempt from CEQA.

RECOMMENDATION:

That the Planning Commission adopt:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA HABRA, CALIFORNIA, MAKING THE REQUIRED FINDINGS AND APPROVING TENTATIVE TRACT MAP NO. 19344 (TTM 24-0004) TO ALLOW A RESIDENTIAL SUBDIVISION TO CREATE 22 CONDOMINIUM UNITS AT 300 SOUTH WALNUT STREET (ASSESSOR'S PARCEL NUMBER 298-066-16), SUBJECT TO CONDITIONS, MAKING THE

REQUIRED FINDINGS AND RECOMMENDING THAT THE CITY COUNCIL APPROVE PLANNED UNIT DEVELOPMENT 24-0002 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 TTM 24-0004 IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO SECTION 15332, CLASS 32: "INFILL DEVELOPMENT PROJECTS" OF THE CEQA GUIDELINES

DISCUSSION:

The Applicant, Chris Segesman, of Bonanni Development Company, is requesting approval of Tentative Tract Map No.19344 (TTM 24-0004) and Planned Unit Development 24-0002 to construct 22 dwelling units (townhomes) on a 1.36-acre site, located at 300 South Walnut Street (the "Project"), with 15 percent (four) of the units made available for sale at an affordable cost to moderate-income households. The Project site is on the east side of Walnut Street, approximately 700 feet south of the La Habra Boulevard intersection and approximately 500 feet north of the Union Pacific Railroad crossing (see Exhibit 1 below and Attachment 2). There is an existing legal, nonconforming industrial building on the Project site that was last occupied by Kilian Fire Sprinkler Corporation in 2021. Because this is a redevelopment project, the site can and will continue to be adequately served by all utilities and public services and 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.

Exhibit 1: Vicinity Map



The General Plan designates the Project site for Residential Medium-Density land use, which allows for the development of up to 14 dwelling units per acre (du/ac). The subject property is not identified in the General Plan Housing Element as a site to meet the City's Regional Housing Needs Assessment (RHNA) allocation. In addition, the Conservation/Natural Resources chapter of the General Plan does not identify the Project site as an area of biological sensitivity (Chapter 6, Section A) and the Community Development chapter of the General Plan (Chapter 2, Section D) does not identify the site as an area of notable archaeological resources.

The Project site is located within the Limited Multiple Family Dwelling (R-3) Zone and the Planned Unit Development (PUD) Overlay zone and is subject to Chapter 18.82 (Inclusionary Housing Units) of the La Habra Municipal Code (LHMC). The R-3 Zone implements the General Plan's Residential Medium Density land use designation. The PUD Overlay Zone provides development requirements that are supplementary to the regulations set forth in the base zoning designation. The Applicant will comply with LHMC Chapter 18.82 (Inclusionary Housing Units) by agreeing to sell four of the 22 units at an affordable cost to moderate-income households. 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 (California

Government Code Sections 65915-65918), which is implemented in LHMC Chapter 18.80 (Density Bonus and Other Affordable Housing Incentives), allows the Applicant to increase the permitted density (20 units) by 10 percent (two units) in exchange for making at least 15 percent (4 units) of the 22 units affordable to moderate-income households.

The General Plan land use designation, zoning, and existing land use for each of the surrounding properties is provided in Table 1 below:

Table 1: Surrounding Properties

Location	General Plan	Zoning	Existing Land Use
North:	Residential Low Density (Up to 8 units/acre)	Single-Unit Dwelling (R-1c)	Single-Unit Residential
East:	Residential Multi-Unit1 (up to 15-24 units/acre)	Multi-Unit Dwelling (R-4)	Multi-Unit Residential
South:	Residential Low Density (Up to 8 units/acre)	Single-Unit Dwelling (R-1c)	Single-Unit Residential
West:	Residential Low Density (Up to 8 units/acre)	Single-Unit Dwelling (R-1c)	Single-Unit Residential

The Applicant's Engineer, Walden & Associates, has prepared TTM No. 19344, in accordance with Chapter 17.08 (Subdivision Maps) of the LHMC, which includes a preliminary site plan of the Project site, including the metes and bounds of the property lines of the new lots and associated easements and rights-of-way. As this is a tentative map, TTM No. 19344 also shows the proposed building and land alterations and the topography of the Project site. TTM No. 19344 includes a preliminary grading and drainage plan, a preliminary utility plan, and a preliminary fire access and hydrant location plan. TTM No. 19344 is attached as an Exhibit to the proposed resolution approving TTM No. 19344. Per LHMC Section 18.52.060.A and 18.52.085 (PUD Overlay Zone), the Applicant has also submitted a request for approval of a Planned Unit Development permit, which requires the Planning Commission to make a recommendation to the City Council regarding its approval; the City Council is the final approval authority for the Planned Unit Development permit.

As depicted in Exhibit 2, below, and Attachment 3, the Applicant proposes to remove the two existing driveways along Walnut Street and create one new driveway for ingress/egress into the Project site. Covenants, Conditions, and Restrictions (CC&Rs) will need to be recorded as part of the Tentative Tract Map to regulate common access and maintenance of common areas within the site. The subject property has existing six-foot-tall chain link fences along the northern and southern boundaries of the site and a seven-foot tall CMU block wall along the eastern boundary. The Applicant is proposing to retain the seven-foot-tall wall and remove the chain-link fences along the northern and southern boundaries, replacing them with six-foot-tall CMU block walls.

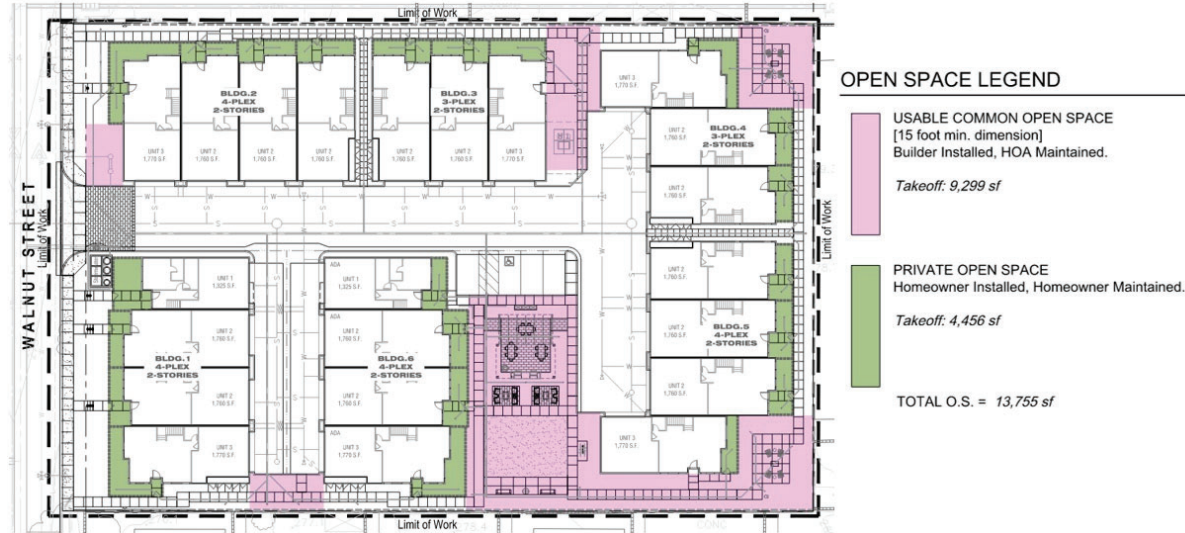
The proposed site design is consistent with LHMC Section 18.26.040 (Standards of Development [for the R-3 Zone]) and satisfies each of the development standards with regard to building setbacks, building height, and lot coverage as indicated in Table 3 below.

Table 3: R-3 Development Standards

	Required	Proposed
Front Setback (min)	15 ft	15 ft
Side (Interior) Setback (min)	5 ft	11 ft & 12 ft
Rear Setback (min)	10 ft	15 ft
Height (max)	36 ft	28 ft & 29.5 ft
Lot Coverage (max)	40%	39%

The proposed Project exceeds the minimum open space requirements for the PUD Overlay Zone, which requires 250 square feet of private and common open space per unit. Therefore, the Code requires 5,500 square feet of private and public open space; the proposed project will have 13,755 square feet of public and private open space. As shown below in Exhibit 3, and in Attachment 4, private open space will be provided by ground-floor patios that range in size from 126-149 square feet; common open space will be provided throughout the Project site and will feature community seating arrangements and fire pits for gatherings as well as BBQ grills and picnic tables. As a condition of approval, the proposed Project must include dog waste bag dispensers in this area.

Exhibit 3: Open Space Amenities



As shown in Table 4 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 length and the size of the overall patio area exceed the minimum requirements. 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. The Applicant is entitled to a waiver/reduction of the minimum dimension required for ground-floor patios under the State Density Bonus Law.

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

Exhibit 4, below, and Attachment 5 depict the Project's Conceptual Landscape Plan, which features a variety of evergreen and deciduous trees, in addition to accent palm trees, shrubs, and ground cover, that are well suited to the local climate. African Sumac and Brisbane Box trees are placed along the Walnut Street frontage. Crape Myrtle and Wilsonii Olive trees are placed in the common open space area along the rear corners of the site. The landscape planters located along the southern and eastern boundaries contain clusters of California Sycamore, Fern Pine trees, and Purple Hopseed. The Conceptual Landscape Plan was reviewed and found to be conceptually suitable for the proposed Project. However, the draft resolution includes conditions of approval that require a final plan to be submitted, which must provide additional information showing that the final plan complements the design character of the site, particularly along the drive aisle and the individual entrances. The conditions of approval include requirements to increase tree sizes, include enhanced paving treatments, and consider the use of decorative pottery or other structured methods of protecting plant materials.

Exhibit 4: Landscape Plan

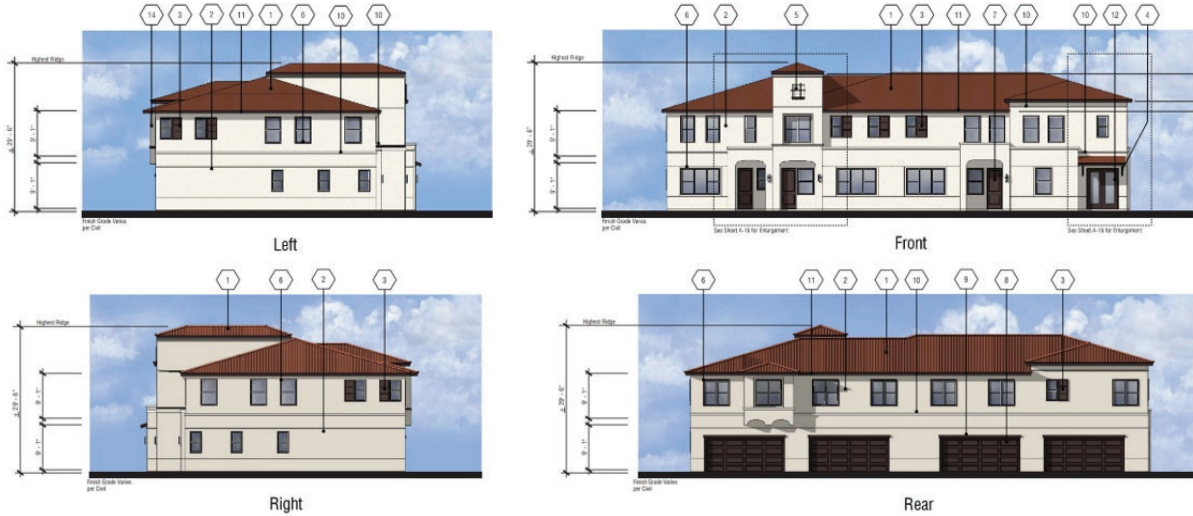


Symbol	Type/Form	Suggestions	Trunk	Size	Woods (R3)	Qty
PLANTING LEGEND						
Botanical Name (Common Name)						
PALMS						
Vertical		Phoenix dactylifera (Date Palm) Syngonium rotundifolium (Queen Palm)	Single	10' BT	Low	2
TREES						
Specimen		Olive diea 'Wilsoni' (Wilsoni Olive)	Multi	24" Box	Low	4
Canopy	Deciduous	Platanus racemosa (California Sycamore)	Single	15 G24" Box	Medium	8
Street		Trotiana conferta (Brisbane Box)	Single	24" Box	Medium	2
Buffer		Podocarpus gracilior (Fern Pine Tree)	Single	24" Box	Medium	19
Deciduous	Flowering	Lagerstroemia 'x1 'Natchez' (Crape Myrtle)	Single	15 Gal	Medium	11
Columnar		Dodonaea viscosa 'Purpurea' (Purple Hopseed) Podocarpus macrophyllus (Yew Pine)	Single	15 G24" Box	Low Medium	23
Common	Parway	Trotiana conferta (Brisbane Box) Rhus lancea (African Sumac) (Final Selections / Locations per City's Director)	Single	24" Box	Medium Low	6
						TOTAL = 75
SCREEN SHRUBS						
Utility	Screen	Westringia fruticosa Wyanbille Gem' (Colet Rosemary)	Single	15 Gal. Leaf-to-leaf	Low	15
						TOTAL = 15
VINES/ESPALEERS						
Vines/ Espaliers		Antigonon leptopus (White Coral Vine)	Single	5 Gal.	Low	14
						TOTAL = 14

The underground stormwater infiltration basin for the development is located in the landscaped area at the entrance of the site, along Walnut Street. The conceptual Water Quality Management Plan (WQMP), which addresses the topography, stormwater collection basins, and proposed water drainage paths for the site, has been reviewed and approved by the City's Public Works Department.

Exhibit 5: Elevations

Building No. 1 ("White Snow" Color Scheme) and Building No. 6 ("Alpaca" Color Scheme) --



Building No. 2 ("Alpaca" Color Scheme) and Building No. 3 ("White Snow" Color Scheme) --



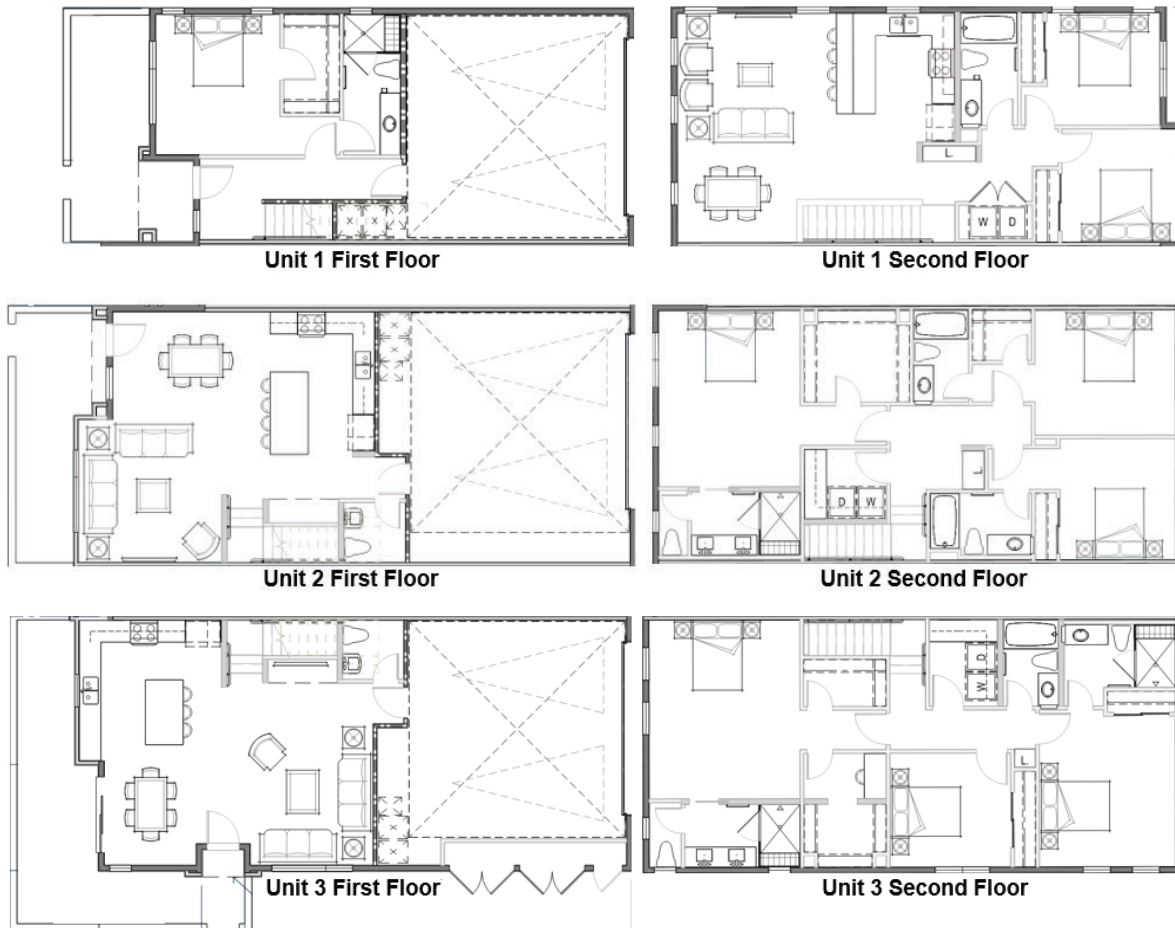
Building No. 4 ("Alpaca" Color Scheme) and Building No. 5 ("White Snow" Color Scheme) --



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, except for the required minimum dimensions for the ground-floor patios, which may be waived/reduced pursuant to the State Density Bonus Law. As depicted in Exhibit 5, above, and Attachment 6, 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. Buildings No. 1 and 6 will be 29.5 feet in height while Buildings No. 2, 3, 4, and 5 will be 28 feet at peak, well under the maximum building height of 36 feet, as permitted for multi-unit developments within the R-3 Zone and PUD Overlay Zone. The roofs of the buildings feature a 15-degree pitch and will include solar panel arrays of predetermined sizes, as required by the California Energy Code.

Exhibit 6: Floorplans



The proposed floorplans are shown above in Exhibit 6 and Attachment 7. The first floor in Unit 1 features a two-car garage, a foyer area, a master suite with an attached bathroom, and a staircase leading upstairs. The second floor features the primary living space with the kitchen, dining area, living room, washer/dryer, and a full bathroom shared between two other bedrooms. The first floor in units 2 and 3 features a two-car garage and the primary living space, which includes the kitchen, dining area, living room, powder room, and a staircase leading upstairs. The second floor features the master suite with an attached bathroom, a designated laundry room for the washer/dryer, two other bedrooms and two full bathrooms. Building No. 6, which features one Unit 1, two Unit 2s, and one Unit 3, is designated as the ADA-accessible building, offering an ADA-accessible unit of each type. Because there is no communal trash enclosure proposed as part of this development, each unit features a three-foot wide area toward the back of the garage for the placement of a 65-gallon trash bin, a 65-gallon recycle bin, and a 35-gallon compost bin. Future residents will be responsible for rolling out and placing the bins along the drive aisle during trash pick-up days. Details regarding the 22 residential units are provided in Table 4 below:

Table 4: Residential Unit Details

Building Number	Unit Type	Affordable Unit	ADA-Accessible	Square Footage
Building 1	Unit 1	Yes	No	1,325 SF
Building 1	Unit 2	No	No	1,760 SF
Building 1	Unit 2	No	No	1,760 SF
Building 1	Unit 3	No	No	1,770 SF
Building 2	Unit 3	No	No	1,770 SF
Building 2	Unit 2	Yes	No	1,760 SF
Building 2	Unit 2	No	No	1,760 SF
Building 2	Unit 2	No	No	1,760 SF
Building 3	Unit 2	No	No	1,760 SF
Building 3	Unit 2	Yes	No	1,760 SF
Building 3	Unit 3	No	No	1,770 SF
Building 4	Unit 3	No	No	1,770 SF
Building 4	Unit 2	No	No	1,760 SF
Building 4	Unit 2	No	No	1,760 SF
Building 5	Unit 2	No	No	1,760 SF
Building 5	Unit 2	No	No	1,760 SF
Building 5	Unit 2	No	No	1,760 SF
Building 5	Unit 3	No	No	1,770 SF
Building 6	Unit 1	Yes	Yes	1,325 SF
Building 6	Unit 2	No	Yes	1,760 SF
Building 6	Unit 2	No	No	1,760 SF
Building 6	Unit 3	No	Yes	1,770 SF

The Applicant will enter into a regulatory agreement with the City of La Habra to sell four of the 22 units at a purchase price affordable to moderate-income households, in order to be eligible to receive a density bonus, the waiver/reduction in the required width of private open space dimensions and be entitled to the parking requirements permitted under the State Density Bonus Law, as well as comply with inclusionary housing unit requirements of LHMC Chapter 18.82. The various income limits, as defined in Section 50093 of the California Health and Safety Code, applicable to the Orange County area, are shown in Table 5 below. These limits are based upon "area median income" which references the median family income of a geographic area of the state, as annually estimated by the United States Department of Housing and Urban Development pursuant to Section 8 of the United States Housing Act of 1937.

Table 5: Income Limits for Number of Members per Household

	1	2	3	4	5	6	7	8
Acutely Low	\$13,550	\$15,500	\$17,400	\$19,350	\$20,900	\$22,450	\$24,000	\$25,550
Extremely Low	\$33,150	\$37,900	\$42,650	\$47,350	\$51,150	\$54,950	\$58,750	\$62,550
Very Low Income	\$55,250	\$63,100	\$71,050	\$78,900	\$85,250	\$91,550	\$97,850	\$104,150
Low Income	\$88,400	\$101,000	\$113,650	\$126,250	\$136,350	\$146,450	\$156,550	\$166,650
Median Income	\$90,300	\$103,200	\$116,100	\$129,000	\$139,300	\$149,650	\$159,950	\$170,300
Moderate Income	\$108,350	\$123,850	\$139,300	\$154,800	\$167,200	\$179,550	\$191,950	\$204,350

For-sale residential developments, such as the subject Project, are typically required by State law to be affordable to the first buyer, subject to an equity sharing agreement with the City, where the City receives a portion of any appreciation of the home at the time the original homeowner sells the home. The City places the funds from the equity sharing agreement into an affordable housing fund, which the City uses to facilitate future affordable housing. The Affordable Housing Agreement is subject to review and approval by the City Council. The Affordable Housing Agreement is not under the purview of the Planning Commission.

ANALYSIS:

Tentative Tract Map No. 19344 (TTM 24-0004)

Pursuant to LHMC Section 17.08.110 (Public Hearing) of Chapter 17.08 (Subdivision Maps), the Planning Commission must hold a public hearing to review all Tentative Tract Maps. When considering Tentative Tract Maps, the Commission reviews the proposal for consistency with the La Habra General Plan, the requirements of the La

Habra Subdivision Ordinance, and the Subdivision Map Act. Additionally, the Planning Commission makes a determination that the project is physically suitable for the site and designed in a manner that will not cause any detriment to the public welfare. While no specific findings are mentioned in the LHMC, the findings below support the approval of the Tentative Tract Map under state law. The Subdivision Map Act includes a list of grounds for denial; if any one of the findings is made, the map must be denied. The list below outlines the grounds for denial pursuant to the Subdivision Map Act and staff's recommended justification that there are no grounds for denial.

1. That the proposed map is not consistent with the applicable general plan and specific plans as specified in Section 65451.

The General Plan designates the subject property for Residential Medium Density land use, which allows for the development of up to 14 dwelling units per acre (du/ac). 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. 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.

The subject property is not identified in the General Plan Housing Element as a site to meet the City's Regional Housing Needs Assessment (RHNA) allocation. In addition, the Conservation/Natural Resources chapter of the General Plan does not identify the Project site as an area of biological sensitivity (Chapter 6, Section A) and the Community Development chapter of the General Plan (Chapter 2, Section D) does not identify the site as an area of notable archaeological resources. Additionally, 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-sale 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 complying with 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, with the exception of those requirements for which the Applicant is entitled to waivers/reductions pursuant to the State Density Bonus Law;
- LU 5.5 (Revitalization of Obsolete and Underused Properties) by facilitating the revitalization of vacant properties;
- LU 6.4 (Housing Type Distribution) by allowing the establishment of market-rate and affordable townhomes;
- LU 7.2 (New Residential Development) by establishing new residential development;
- LU 7.3 (Housing Character and Design) by implementing Mediterranean-influenced design guidelines such as clay tile roofs, wrought iron accents and trims, and brown awnings and shutters to be incorporated into the design of the proposed development;
- LU 9.2 (Amenities) by the Applicant providing a communal gathering area with seating and BBQ islands;
- H 1.3 (Support Private Sector Housing Production) by facilitating the production of new housing for the community; and
- H 1.5 (Market and Non-Market Housing Production Needs) by allowing the establishment of for-sale townhomes for the community.

Therefore, the proposed map is consistent with the General Plan. The subject property is not located within a specific plan.

2. That the design or improvement of the proposed subdivision is not consistent with the applicable general and specific plans.

The General Plan designates the Project site for Residential Medium Density (up to 14 du/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 the LHMC Chapter 18.09 Objective Design Standards for Multi-Unit 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 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 State Density Bonus Law parking requirements, which the Applicant is exceeding by providing a total of 15 more parking spaces than required for this site. Therefore, the design or improvement of the proposed subdivision is consistent with the General Plan. The subject property is not located within a specific plan.

3. That the site is not physically suitable for the type of development.

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 the LHMC Chapter 18.09 Objective Design Standards for Multi-Unit 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 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; State Density Bonus Law, which is implemented in LHMC Chapter 18.80, allows the Applicant to increase the permitted unit count (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 eligible to comply with State Density Bonus parking requirements. However, based on the State's parking requirements, the Applicant has provided a total of 15 more parking spaces than required for this site. Therefore, the site is physically suitable for the proposed type of development.

4. That the site is not physically suitable for the proposed density of the development.

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). 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 (14 du/ac) by 10 percent (1.4 du/ac) in exchange for making at least 15 percent (4 units) of the 22 total units affordable to moderate-income households. Therefore, the site is physically suitable for the proposed density of 16 du/ac and 22 total units.

5. That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

The proposed Project involves the removal of an existing, nonconforming industrial building from a property located within the Limited Multiple Family Dwelling (R-3) Zone and the Planned Unit Development (PUD) Overlay Zone. The Project site was last occupied by Kilian Fire Sprinkler Corporation in 2021. Additionally, the Project site is located along a primarily residential corridor within the City and is surrounded by single and multi-unit developments on all sides. Further, the Conservation/Natural Resources chapter of the General Plan does not identify the Project site as an area of biological sensitivity. As a result, it is anticipated that the site does not house any endangered plant or animal species and the design of the proposed subdivision will not cause substantial environmental damage or substantial or avoidable injury to fish or wildlife or their habitat. Therefore, the design of the subdivision is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

6. That the design of the subdivision or the type of improvements is likely to cause serious health problems.

The proposed Project provides sufficient site access to public safety services, such as Fire and Police. Additionally, the development will be serviced by sanitary sewers and storm drains. Since permits and inspections are required for the construction of all the proposed infrastructure improvements, no health or safety issues are anticipated. Therefore, the design of the subdivision is not likely to cause serious health problems.

7. That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

There are no public access easements on the Project site. The Applicant will remove the existing driveways and create a new drive access, toward the center of the Walnut Street frontage, which will be the only access to the townhome complex, per the approved site plan. Covenants, Conditions, and Restrictions (CC&Rs) will be created

as part of this map to provide each property owner with rights to access the site through the driveway. The Project has been conditioned to ensure proper sewer and utility easements will be available. Therefore, the design of the subdivision will not conflict with easements for access through or use of the property within the proposed subdivision.

8. The design of the subdivision does not provide for, to the extent feasible, future passive or natural heating and cooling opportunities.

As conditioned, the Applicant is required to provide 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. Therefore, the design of the subdivision provides, to the extent feasible, future passive or natural heating and cooling opportunities.

As noted above, there are no grounds upon which to deny Tentative Tract Map No. 19344 (TTM 24-0004). Therefore, with the conditions of approval, the subdivision and Project design will be consistent with the General Plan and Subdivision Map Act as supplemented by Chapter 17 (Subdivisions) of the La Habra Municipal Code.

Planned Unit Development 24-0002

Per the requirements of LHMC Chapter 18.52 (PUD Overlay Zone), the Applicant has also submitted a request for approval of a Planned Unit Development permit, which requires the Planning Commission to make recommendation to the City Council regarding its approval; the City Council is the final approval authority for the Planned Unit Development permit. Per LHMC Section 18.52.095.A (Findings), prior to the Planning Commission recommending the City Council's approval of the Planned Unit Development, the Planning Commission must make the required findings listed below; following each finding is Staff's analysis of the proposed project's ability to meet the required finding.

1. 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, be subject to the State Density Bonus parking requirement 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 is consistent with the surrounding residential developments within the vicinity as well as the site's zoning designation.

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

The 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 the 40 foot standard. Otherwise, the proposed development is not anticipated to cause any further traffic congestion along Walnut Street or 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 for 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.

3. *That all required applications for the proposed use have been processed, including any conditional use permit applications.*

The Applicant has filed all the required applications for this proposed Project. The request includes a Tentative Tract Map for condominium purposes, which is being processed concurrently with this Planned Unit Development. Therefore, all required applications have been processed.

4. *That the standards of development applicable to the planned unit development are clearly designated in the proposed planned unit development ordinance or plans approved 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 the LHMC Chapter 18.09 Objective Design Standards for Multi-Unit 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; 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 subject to State Density Bonus Law parking requirements, which the Applicant is exceeding by providing 15 more parking spaces than required for this site. Therefore, the applicable development standards are clearly designated.

5. *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.

6. *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 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.

7. *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.

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

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.

9. 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.

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

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

11. 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 the LHMC Chapter 18.09 Objective Design Standards for Multi-Unit Development and found to be consistent with these requirements, except for those development standards or 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 subject to State Density Bonus Law parking requirements, which the Applicant is exceeding by providing 15 more

parking spaces than required for this site. Therefore, there is substantial compliance with the spirit and intent of the Zoning Ordinance.

FISCAL IMPACT/SOURCE OF FUNDING:

The Applicant has paid for the processing cost associated with the Tentative Tract Map, which totals \$6,759, as well as the Planned Unit Development, which totals \$10,778.00.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES):

The Applicant's proposal has been reviewed pursuant to the requirements of the City's National Pollutant Discharge Elimination System (NPDES) Municipal Permit, the Local Implementation Plan (LIP) and the Model Water Quality Management Plan (WQMP), Section 7.2. Since the proposal will constitute the disturbance of more than 5,000 square feet of soil, a conceptual Water Quality Management Plan (WQMP), which addresses the topography, stormwater collection basins, and proposed water drainage paths for the site, has been reviewed and approved by the City's Public Works Department. Project-specific conditions pertaining to stormwater discharge and infiltration have been included as part of the conditions of approval.

GENERAL PLAN RELEVANCE/CITY COUNCIL GOALS & OBJECTIVES:

The project is consistent with the following General Plan policies:

- LU 1.2 Development Capacity
- LU 2.1 Places to Live
- LU 4.1 Development Compatibility
- LU 4.4 Design Review
- LU 5.5 Revitalization of Obsolete and Underused Properties
- LU 6.4 Housing Type Distribution
- LU 7.2 New Residential Development
- LU 7.3 Housing Character and Design
- LU 9.2 Amenities
- H 1.3 Support Private Sector Housing Production
- H 1.5 Market and Non-Market Housing Production Needs
- H 2.5 Adequate Housing Sites through Land Use and Zoning of the La Habra General Plan 2035

The project is consistent with the following City Council goals and objectives:

Goal 5: Development Activity and Business Assistance

Objective C: Work closely with commercial and residential property owners to improve and maintain the appearance of their properties

Objective Q: Facilitate the development of high-quality housing, at a variety of income levels, to help meet projected demand, as set forth in the Regional Housing Needs Assessment (RHNA)

Attachments

1. PC Resolution
2. Vicinity Map
3. Site Plan
4. Open Space Amenities
5. Landscape Plan
6. Elevations
7. Floorplans