

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 (PUD2M24-0001) TO CONSTRUCT 21 DWELLING UNITS (APARTMENT HOMES), INCLUDING TWO AFFORDABLE UNITS FOR RENT TO MODERATE-INCOME HOUSEHOLDS, AT THE PROPERTY CURRENTLY ADDRESSED AS 920 WEST LA HABRA BOULEVARD (ASSESSOR'S PARCEL NUMBER 298-011-021), AS PER THE APPROVED PLANS AND SUBJECT TO CONDITIONS, AND MAKING THE DETERMINATION THAT THE PLANNED UNIT DEVELOPMENT (PUD2M24-0001) 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 January 26, 2024, the Applicant, Douglas Woodward, of TDAC Development and Consulting, representing the Property Owner, the Roman Catholic Diocese of Orange, submitted applications for a Planned Unit Development permit (PUD2M24-0001) and on March 14, 2024, the Applicant submitted an application for Lot Line Adjustment (LLA) 24-0002, both to construct 21 apartment homes in five buildings (including two units for rent to moderate-income households), at 900-970 West La Habra Boulevard ("the Project"); and

WHEREAS, on February 24, 2025, the Planning Commission held a duly noticed public hearing to consider the Applicant's request for Lot Line Adjustment 24-0002 and the Planned Unit Development permit (PUD2M24-0001). The Planning Commission adopted Resolution No. 25-07, approving Lot Line Adjustment 24-0002 and recommending that the City Council approve the Planned Unit Development (PUD2M24-0001); and

WHEREAS, on March 17, 2025, the City Council held a duly noticed public hearing to consider the proposed Planned Unit Development permit (PUD2M24-0001), 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 HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Recitals. The City Council finds that all of the facts and findings set forth in the recitals to this Ordinance are true and correct.

SECTION 2. Approval of Planned Unit Development Permit (PUD2M24-0001). 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 (PUD2M24-0001) based on the following findings required by Section 18.52.095 of the La Habra Municipal Code (LHMC) 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 majority (95.5 percent) of the Project site is located within the R-2 Zone and the PUD Overlay Zone and has a Medium Density (up to 14 du/ac) land use per the General Plan. The proposed development of 21 apartment homes is consistent and compatible with adjacent residential development to the east and the west. 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.

Vehicular access to the Project site will be from Walker Avenue, which does not currently terminate in a cul-de-sac, which is not an ideal street design if a vehicle comes to the end of the street and needs to turn around. Although there are no regulations in place that would require the Applicant to provide a full cul-de-sac, after discussions with the City's Engineering Division and LACFD, the Applicant has agreed to provide a cul-de-sac turnaround area in an effort to provide space for improved vehicle maneuvering. The cul-de-sac turnaround and the Project's private driveways comply with LACFD requirements to be at least 26 feet wide and clear of overhead obstructions, and comply with the LACFD and City's turning radii requirements. The private driveways provide a loop around the proposed buildings and provide access to all 21 residences. Additionally, emergency vehicles will have a LACFD approved "hammerhead" turn around at the southeast corner of the Project site. On February 22, 2024, the Applicant conducted the required fire hydrant flow test for the existing fire hydrant located at the northeast corner of South Marian Street and Third Avenue. The test was approved by LACFD and the City. In addition, the Applicant will install a new fire hydrant near the center of the proposed Project and equip all units with a fire sprinkler system.

In order to determine the proposed Project's impacts on traffic, RK Engineering Group, Inc. prepared a Trip Generation and Vehicle Miles Traveled (VMT) Screening Assessment for the proposed Project. Based on the ITE trip generation rates, the proposed Project is forecast to generate approximately 151 daily trips, which include approximately 10 AM peak hour trips and 12 PM peak hour trips. The Project's trip generation does not exceed the typical 50 peak hour trip threshold nor the County of Orange's 200 daily trip threshold. As such, the proposed Project is not expected to result in any significant adverse impacts on the operations of the roadway network and intersections and traffic impact analysis is not required. Furthermore, based on the North Orange County Collaborative VMT Traffic Study Screening Tool (NOCC+), the proposed Project is screened out from a full VMT analysis based on its location within a Low VMT Area and is presumed to have a less than significant impact on VMT under CEQA. Therefore, no additional VMT analysis is required. 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 has filed all the required applications for this proposed Project. The request includes a Lot Line Adjustment, which was approved by the Planning Commission on February 24, 2025 through the adoption of Resolution No. 25-07. 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 proposed design standards and layout dimensions are clearly depicted on the Project plans. Chapter 18.52 of the LHMC (Planned Unit Development Overlay Zone) does not provide specific development standards; however, it provides a level of flexibility for the developer to deviate from the established building standards of the underlying zoning designation for the purpose of constructing a project that is cohesive with the surrounding neighborhood. As indicated in the table below, the Project will meet the minimum parking required by the LHMC.

Table 3: Parking Requirements for Three Bedroom Units

	Required Parking per Unit	Required Parking for Project	Proposed Parking
Three bedroom units	3 spaces	63 spaces	63 spaces (42 in garages, 21 uncovered)
Guest	0.5 spaces	11 spaces	11 spaces (uncovered)

1.52 acres of the Project site is within the R-2 Zone and PUD Overlay Zone and the balance of the Project site (0.07 acres) is within the R-1c Zone. The proposed dwelling units will be constructed within the portion of the property that is within the R-2 Zone/PUD Overlay Zone; the portion of the Project site that is within the R-1c Zone will be used to meet building setback requirements and includes a sewer easement that prevents the construction of dwelling units within this area. Staff reviewed the proposed Project for conformance with the R-2 developments in the table below.

Table 4: R-2 Zone Development Standards

	Required	Proposed
Front Setback (min)	15 ft.	10 ft. from east property line
Side (interior) Setback (min)	5 ft.	10.5 ft. from north property line 10 ft. from south property line
Rear Setback (min)	10 ft.	10.7 ft. from west property line
Height (max)	35 ft.	Approx. 28 ft.
Lot coverage (max)	35 %	35 %

As noted in the table above, the proposed Project meets or exceeds the R-2 Zone development standards, except for the front setback where the Project site sits at grade with the adjacent single-unit dwelling that is located on the south side of Walker Avenue (960 Walker Avenue). The four-unit building that is situated at the western edge of the Project site has a front setback that is 10-foot wide instead of the required 15 feet. The subject single-unit dwelling, adjacent to the four-unit building, has an adjacent side setback that is five feet from the property line, resulting in a total building to building separation of 15 feet. In order to mitigate any privacy impacts of the reduced setback, the Applicant proposes to plant large (24 inch box) *Podocarpus graciliar* "column" fern pines, within the Project's front setback area. These "column" fern pines range between eight and fifteen feet in height and are three to five feet in width. As permitted by the PUD Overlay Zone, the Applicant is requesting this reduced setback in order to provide 26-foot wide driveways/fire lanes that meet LACFD requirements, without compromising the design of the proposed Project or the number of proposed units. Therefore, the applicable development standards are clearly designated.

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

The proposed Project has been designed to comply with the requirements of the R-2 Zone and the PUD Overlay Zone, as well as the requirements of LHMC Chapter 18.09 (Objective Design Standards for Multi-Unit Residential and Mixed-Use Development) for the Spanish Colonial Revival architectural style. A private road servicing the development will connect with Walker Avenue to the west. The Applicant proposes to utilize existing 6-foot block walls between the single-unit residences to the west and the multi-unit residences to the east. Additionally, the multi-unit property to the east is further separated by a grade differential between four and five feet. The Applicant also proposes landscape screening adjacent to the single-unit residence at the western property line of the proposed development. 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 exceeds the City's requirements for private and common open space by providing individual private, ground-floor patios for all 21 dwelling units that range in size from 250 square feet to 465.8 square feet in area, and 2,111 square feet of active and passive common open space. The common open space will include six 15-square foot raised planters that will be used for gardening, tree and shrub-lined walkways, passive park bench seating areas, a natural gas barbecue grill, and an outdoor dining table and seating, which will be covered by a modern opaque metal gazebo. 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 conditions of approval for the PUD require the development of the Project to be in substantial conformance with the final plans as recommended for approval by the Planning Commission and as approved by the City Council. The Applicant proposes to employ firms to maintain and protect private areas reserved for common use. 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 Applicant provided a Fiscal Impact Analysis prepared by DTA (formerly David Taussig and Associates) public finance firm. The analysis concluded that at project build-out, the 21 apartment homes will produce nominal annual recurring fiscal surplus of \$6,500 including secured property tax revenues received by the City's General Fund. Additionally, annual property tax revenues generated by the Project's build-out, including property tax in lieu of vehicle license fees (VLFs), are estimated at \$38,980. Annual indirect sales tax revenues generated by the household retail spending within the City limits at the Project's build-out are estimated at \$6,035.

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 1.59-acre site encompasses a portion of an open field area, south of Our Lady of Guadalupe Catholic Church, that has been utilized for church-related activities (a.k.a. McCarty Field). To the east, there are existing apartments (Monte Vista Manor Apartments) and additional multi-unit dwellings that front along Monte Vista Street. To the south, there is a portion of Guadalupe Park as well as the Union Pacific Railroad. To the west, there is an existing neighborhood of single-unit homes. 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 would not cause significant impacts to traffic, noise, air quality, or water quality. Based on the ITE trip generation rates, the proposed Project is forecast to generate approximately 151 daily trips, which include approximately 10 AM peak hour trips and 12 PM peak hour trips. The Project's trip generation does not

exceed the typical 50 peak hour trip threshold nor the County of Orange's 200 daily trip threshold. As such, the proposed Project is not expected to result in any significant adverse impacts on the operations of the roadway network and intersections and traffic impact analysis is not required. Furthermore, based on the North Orange County Collaborative VMT Traffic Study Screening Tool (NOCC+), the proposed Project is screened out from a full VMT analysis based on its location within a Low VMT Area and is presumed to have a less than significant impact on VMT under CEQA. Therefore, no additional VMT analysis is required. The very low trip generation from the Project also results in less than significant operational noise and air quality impacts. Construction noise and air quality impacts are governed by the La Habra Municipal Code and AQMD Rule 403. The Project does not require import or export of dirt and the grading quantities are minimal. Prior to discharging storm flows into an existing storm drain, the Project will treat the initial storm runoff through a modular wetland system or similar water quality BMP, ensuring compliance with the MS4 requirements. 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.

- 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.**

As noted above, the proposed Project is in substantial compliance with all of the applicable standards of the underlying R-2 Zone and the PUD Overlay

Zone as per the plans and supporting studies. 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 1.59-acre site encompasses a portion of an open field area, south of Our Lady of Guadalupe Catholic Church, that has been utilized for church-related activities (a.k.a. McCarty Field). To the east, there are existing apartments (Monte Vista Manor Apartments) and additional multi-unit dwellings that front along Monte Vista Street. To the south, there is a portion of Guadalupe Park as well as the Union Pacific Railroad. To the west, there is an existing neighborhood of single-unit homes. 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 would not cause significant impacts to traffic, noise, air quality, or water quality. Based on the ITE trip generation rates, the proposed Project is forecast to generate approximately 151 daily trips, which include approximately 10 AM peak hour trips and 12 PM peak hour trips. The Project's trip generation does not exceed the typical 50 peak hour trip threshold nor the County of Orange's 200 daily trip threshold. As such, the proposed Project is not expected to result in any significant adverse impacts on the operations of the roadway network and intersections and traffic impact analysis is not required. Furthermore, based on the North Orange County Collaborative VMT Traffic Study Screening Tool (NOCC+), the proposed Project is screened out from a full VMT analysis based on its location within a Low VMT Area and is presumed to have a less than significant impact on VMT under CEQA. Therefore, no additional VMT analysis is required. The very low trip generation from the Project also results in less than significant operational noise and air quality impacts. Construction noise and air quality impacts are governed by the La Habra Municipal Code and AQMD Rule 403. The Project does not require import or export of dirt and the grading quantities are minimal. Prior to discharging storm flows into an existing storm drain, the Project will treat the initial storm runoff through a modular wetland system or similar water quality BMP, ensuring compliance with the MS4 requirements. Because this is a redevelopment project, the site can and will continue to be adequately served by all utilities and public services.

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Therefore, the City Council finds and determines that the Planned Unit Development (PUD2M24-0001) is categorically exempt from CEQA and directs staff to file the Notice of Exemption for the Planned Unit Development.

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 AND ADOPTED this ____ day of _____, 2025.

Rose Espinoza, Mayor

ATTEST:

Rhonda J. Barone, CMC
City Clerk

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

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

Rhonda J. Barone, CMC
City Clerk

EXHIBIT A

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 of February 24, 2025 and as approved by the City Council at its meeting of April 7, 2025 [tentative]. 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 (PUD2M24-0001).

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 in 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-striping if the parking area is not maintained in good condition.

Standard Condition 1.14 RESOLUTION/ORDINANCE ON HAND

The Property Owner/Business Operator shall at all times maintain a copy of the approved resolution/ordinance containing all the conditions of approval on site. Said resolution shall be provided for review upon request by any law enforcement officer or code enforcement inspector.

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 1.25 RUN-OFF INTERCEPTION

The Applicant/Developer is responsible to construct storm drain facilities where necessary to limit to 1,000 linear feet of street runoff prior to interception.

Standard Condition 1.26 GAS MAINS

If the project includes natural gas, the Applicant/Developer shall install all proposed gas mains and services prior to paving within project boundaries.

Standard Condition 1.34 GARAGE DOORS

The Applicant/Developer shall provide sectional garage doors with automatic openers where face of garage is less than eighteen feet (18') from the back of sidewalk, or back of curb when sidewalks are not provided.

Standard Condition 1.39 TRAFFIC CONTROL MEASURES

The Applicant/Developer shall provide a traffic control measure plan or documentation prior to any demolition, grading, or construction activities to ensure that traffic impacts are minimized on any adjacent public street, to the satisfaction of the Director of Public Works. Failure by the developer to maintain adequate traffic control measures whereby the City of La Habra has to provide traffic control shall result in all costs being borne by the developer as determined by the Chief of Police and the Director of Public Works.

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 preliminary or precise grading permits:

Standard Condition 3.1 EROSION CONTROL PLAN

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

Standard Condition 3.3 HYDROLOGY STUDY (Modified)

The Applicant/Developer shall provide a complete hydrology study prepared by a qualified engineer to the satisfaction of the City Engineer and shall comply with all recommendations in the report.

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 and shall comply with all recommendations in the report.

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 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 4.10 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 4.15 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 4.20 FIRE HYDRANTS

The Applicant/Developer shall install new public fire hydrant(s) to the satisfaction of the Los Angeles County Fire Department and City Engineer.

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.

Standard Condition 4.26 SEPARATE FIRE LINE CONNECTION

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

Standard Condition 4.27 PRE-CONSTRUCTION MEETING

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

Standard Condition 4.28 EXTERIOR STREET IMPROVEMENTS

The Applicant/Developer shall construct all required exterior street improvements in accordance with the approved conceptual plans to the satisfaction of the City Engineer prior to issuance of Certificate of Occupancy.

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 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 5.10 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 pay the Traffic Administration Fee of \$373.00 to the Traffic Manager, prior to the issuance of a building permit.
2. 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.
3. 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.
4. 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.
5. 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.
6. 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.
7. The Applicant/Developer shall provide a road with a minimum unobstructed width of 26 feet, exclusive of shoulders and an unobstructed vertical clearance "clear to sky" Fire Department vehicular access to within 150 feet of all portions of the exterior walls of the first story of the building, as measured by an approved route around the exterior of the building in accordance with California Fire Code sections 503.1.1 and 503.2.2.
8. 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.
9. 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.

10. 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.
11. The Applicant/Developer shall inform the future tenants of the project of the citywide prohibition against parking on public streets overnight.
12. 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.
13. The Applicant/Developer shall comply with any housing guidelines developed to accompany the affordable housing agreement.
14. 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.
15. Prior to the issuance of preliminary or precise grading permits, the Applicant/Developer and Owner/Operator shall verify, to the satisfaction of the Director of Community and Economic Development or their designee, that gates/fencing or other means of obstructing entrance to the proposed development from Walker Avenue will not be installed.
16. Prior to the issuance of preliminary or precise grading permits, the Applicant/Developer shall dedicate a 10-foot wide easement from Walker Avenue to Third Street for water line purposes and pay all associated fees, to the satisfaction of the City Engineer.
17. Prior to authorization to use, occupy, and/or permit final, the Applicant /Developer shall construct a six-inch diameter water line from Walker Avenue to Third Street in order to loop two dead-end lines on the east terminus of Walker Avenue and Third Avenue to the satisfaction of the City Engineer.