

JUNE 18, 2024 CITY COUNCIL MEETING

PUBLIC HEARING ITEM NO. 12, REVISED 2021-2029 HOUSING ELEMENT  
AND VARIOUS GENERAL PLAN AND ZONING CODE AMENDMENTS  
RELATED TO THE HOUSING ELEMENT IMPLEMENTATION PROGRAMS

**REDLINE REVISIONS TO ATTACHMENTS RECEIVED AFTER POSTING OF  
AGENDA**

**RESOLUTION NO. 2024-5898**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
YORBA LINDA APPROVING GENERAL PLAN  
AMENDMENT 2023-01 RELATED TO AN UPDATE TO THE  
HOUSING ELEMENT FOR 2021-2029**

**WHEREAS**, the original General Plan of the City of Yorba Linda was adopted in 1971, under City Council Resolution No. 328; and,

**WHEREAS**, the City of Yorba Linda General Plan was updated and approved under City Council Resolution No. 93-2815 on June 1, 1993; and,

**WHEREAS**, the City of Yorba Linda General Plan was updated and approved under City Council Resolution No. 2015-5412 on October 28, 2016; and

**WHEREAS**, Government Code Section 65580 et seq. (Housing Element Law) requires that every city prepare and periodically update the housing element of the general plan; every city is mandated to include statutory requirements in the housing element, and every city is required to submit a draft of its housing element to the California Department of Housing and Community Development (HCD) for review and comment as to whether the city's draft 2021-2029 Housing Element substantially complies with Housing Element Law; and

**WHEREAS**, the City's Housing Element will cover the 2021-2029 planning period and plan for the provision of housing accessible to all income categories; and

**WHEREAS**, the City's draft 2021-2029 Housing Element was structured to adhere to the Housing Element Building Blocks created by HCD to assist jurisdictions in preparing the document; and

**WHEREAS**, the Housing Element is a policy document intended to facilitate decision making relative to the physical development of the City and to reflect the existing conditions, requirements, and constraints of the City, specifically as it relates to housing; and,

**WHEREAS**, numerous public workshops were held in 2020 and 2021 in order to receive to receive input from community stakeholders and residents relative to the Housing Element; and

**WHEREAS**, on August 27, 2021, the City submitted its draft Housing Element to HCD for its 60-day review and received comments back from HCD on October 26, 2021; and

**WHEREAS**, on December 8, 2021, the City resubmitted its Housing Element to HCD after addressing all of the comments provided by HCD in its October 26, 2021 letter, and received comments back from HCD on February 4, 2022; and

**WHEREAS**, on February 9, 2022, the City conducted a public hearing approving the 2021-2029 Housing Element and resubmitted its Housing Element to HCD after addressing

all of the comments provided by HCD in its February 4, 2022 letter; and

**WHEREAS**, on April 8, 2022, HCD determined that the City's 2021-2029 Housing Element was substantially complying with State Housing Element law; and

**WHEREAS**, in accordance with State and City laws, on August 2, 2022, the City Council adopted General Plan Amendments GPA 2022-01 and GPA 2022-02 and Zoning Code Amendments ZCA 2022-01 and ZCA 2022-02 as part of the consideration of the Housing Element implementation programs included therein; and

**WHEREAS**, General Plan Amendment 2022-02 and Zoning Code Amendment 2022-02 were presented to the electorate of the City as Measure Z as part of the November 2022 General Election; and

**WHEREAS**, the Orange County Registrar of Voters determined that Measure Z failed to receive the approval of a majority of the electorate of the City, and therefore, General Plan Amendments 2022-01 and 2022-02 and Zoning Code Amendments 2022-01 and 2022-02 did not become effective; and

**WHEREAS**, in order to retain its conditional certification of its Housing Element from the State Department of Housing and Community Development, the City is required to present a rezoning plan to the general electorate of the City by the General Election in November 2024, the City has revised its Housing Element and its associated implementation programs; and

**WHEREAS**, since November 2022, the City has prepared a revised draft Housing Element update through a robust public outreach effort of seven public workshops, which attracted nearly 400 residents from a diversity of backgrounds, ethnicities, age groups, political affiliations, geography within the city, housing tenure, and varying perspectives on housing; and

**WHEREAS**, this revised draft Housing Element was submitted to HCD for consideration and it was determined on February 23, 2024, that the City's draft Housing Element update was found to be in substantial conformance with State housing laws; and

**WHEREAS**, based on a variety of factors including development trends, property owner interest, structure age, property valuation, and development capacity, the existing uses on the sites identified in the site inventory to accommodate the lower-income RHNA are likely to be discontinued during the planning period, and therefore do not constitute an impediment to additional residential development during the period covered by the Housing Element; and

**WHEREAS**, on August 2, 2022, the City Council certified a Program Environmental Impact Report (PEIR) for the 2021-2029 Housing Element through Resolution No. 2022-5817; and

**WHEREAS**, pursuant to Government Code Section 15164, the City has prepared an

addendum to the previously certified PEIR by determining that the proposed changes do not meet the conditions in Government Code Section 15162 calling for the preparation of a subsequent EIR; and

**WHEREAS**, this Housing Element Update requires a public hearing before the Planning Commission, and public notice has been provided in accordance with State law; and,

**WHEREAS**, on May 15, 2024, the Planning Commission held a public hearing concerning General Plan Amendment 2023-01 and unanimously recommended that the City Council adopt the Housing Element update; and,

**WHEREAS**, on June 18, 2024, the City Council held a public hearing concerning the General Plan Amendment; and,

**WHEREAS**, after consideration of the staff report and all information, testimony, and evidence presented at the public hearing, the City Council finds and determines as follows:

SECTION 1. On August 2, 2022, the City Council certified a Program Environmental Impact Report (PEIR) for the 2021-2029 Housing Element through Resolution No. 2022-5817. Pursuant to 14 California Code of Regulations, § 15164, an Addendum to the Program Environmental Impact Report for the City of Yorba Linda 2021-2029 Housing Element Implementation Programs (State Clearinghouse # 2022040574) has been prepared. Pursuant to Government Code Section 15164, the City has prepared an addendum to the previously certified PEIR by determining that the proposed changes do not meet the conditions in Government Code Section 15162 calling for the preparation of a subsequent EIR

The City, serving as the CEQA Lead Agency for the Revised Project (see CEQA Guidelines Sections 15050-15051), determined in its independent judgment that the Revised Project does not meet any of the circumstances from CEQA Guidelines Section 15162 and that an Addendum to the 2022 Certified PEIR is the appropriate CEQA compliance document for the Revised Project. The City's finding is based on the following facts:

- a. As demonstrated in Section 4.0 of the Addendum, the Revised Project would not require major revisions to the previously-certified 2022 Certified PEIR because implementation of the Revised Project would neither result in any significant impacts to the physical environment that were not already disclosed in the 2022 Certified PEIR nor result in substantial increases in the severity of the environmental impacts previously disclosed in the 2022 Certified PEIR.
- b. Subsequent to the certification of the 2022 Certified PEIR, no substantial changes in the circumstances under which the Revised Project would be undertaken have occurred that would require major revisions to the 2022 Certified PEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

c. There is no evidence in the public record that new information of substantial importance has become available that is applicable to the Revised Project and/or the City (Project site), that was not known and could not have been known with the exercise of reasonable diligence at the time the 2022 Certified PEIR was certified and would alter the conclusions of the 2022 Certified PEIR.

SECTION 2. The findings in support of the update of the General Plan are as follows:

- A) The proposed General Plan Amendment is consistent with other elements of the City's General Plan pursuant to Government Code Section 65300.5. The 2021-2029 Housing Element is a general plan amendment required by Housing Element Law. Furthermore, the proposed General Plan Amendment is consistent with the other elements of the City of Irvine General Plan.
- B) The proposed General Plan Amendment responds to changes in state and/or federal law pursuant to Government Code Section 65300.9. The 2021-2029 Housing Element has been initiated in response to state law and the requirements of Housing Element Law.
- C) The proposed general plan amendment has been referred to the County of Orange and any adjacent cities abutting or affected by the proposed action and any other federal agency whose operations or lands may be affected by the proposed decision pursuant to Government Code Section 65352. Notification of a public hearing for the proposed General Plan Amendment was sent to the County of Orange and several adjacent cities that may be affected by the proposed action.
- D) The proposed General Plan Amendment will not be detrimental to the public health, safety, and welfare of the community. The 2021-2029 Housing Element will not result in any surrounding uses or activities that would impact the public health, safety, or welfare of the community. The General Plan Amendment implementing the Housing Element will ensure the provision of housing accessible to all income categories and will ensure consistency with applicable provisions of the Zoning Code.

SECTION 3. The City Council approves the 2021-2029 Housing Element in its amended form as contained in Exhibit A that has addressed and incorporated the findings from HCD, as presented to the City Council on the date of this Resolution and on file with the City Clerk.

SECTION 4. Pursuant to Section 18.36.675 of the Yorba Linda Zoning Code, the City Council finds that General Plan Amendment 2023-01 is necessary to ensure that the Housing Element is consistent within the City's General Plan policies, goals and objectives and is consistent with the objectives of the Zoning Code.

**SECTION 5.** The City Council hereby finds that Yorba Linda Municipal Code Chapter 18.01 (the Yorba Linda Right-to-Vote Amendment also known as Measure B) is inapplicable to this General Plan Update; however, subsequent to the adoption of the Housing Element, amendments to the General Plan text, General Plan Land Use Diagram, Zoning Ordinance and Zoning Map will be necessary in order to implement Housing Element programs, and compliance with Measure B (“The Yorba Linda Right-to-Vote Initiative”) will be prepared in connection with those amendments.

**PASSED AND ADOPTED** at a regular meeting of the City Council of the City of Yorba Linda on the 18th day of June, 2024.

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TARA CAMPBELL, MAYOR  
CITY OF YORBA LINDA

ATTEST:

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MARCIA BROWN, CITY CLERK  
CITY OF YORBA LINDA

APPROVED AS TO FORM:  
RUTAN & TUCKER, LLP

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CITY ATTORNEY

**STATE OF CALIFORNIA )**  
**COUNTY OF ORANGE ) SS**  
**CITY OF YORBA LINDA )**

I, **MARCIA BROWN**, City Clerk of the City of Yorba Linda, **HEREBY DO CERTIFY** that the foregoing Resolution was duly adopted at a regular meeting of the City Council of the City of Yorba Linda, held on the 18th day of June, 2024.

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MARCIA BROWN, CITY CLERK  
CITY OF YORBA LINDA

**ORDINANCE NO. 2024-1108**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YORBA LINDA AMENDING THE TEXT OF THE LAND USE ELEMENT OF THE CITY OF YORBA LINDA GENERAL PLAN (GENERAL PLAN AMENDMENT 2024-01) PURSUANT TO THE IMPLEMENTATION PROGRAMS OF THE CITY OF YORBA LINDA 2021-2029 HOUSING ELEMENT, AND FINDING THAT GENERAL PLAN AMENDMENT 2024-01 IS NOT SUBJECT TO A VOTE OF THE ELECTORATE OF THE CITY OF YORBA LINDA UNDER THE YORBA LINDA RIGHT-TO-VOTE AMENDMENT**

**WHEREAS**, under California law, every city must adopt a general plan, which must include specified mandatory elements, in furtherance of the State policy to provide a comprehensive, long-term plan for the physical development and use of property within a city's jurisdiction; and

**WHEREAS**, under California law, every city has the authority to adopt and amend a zoning code pursuant to a city's general police power, which allows for the orderly division of property within a city's jurisdiction into compatible uses and development standards so as to improve and protect the general welfare; and

**WHEREAS**, under California law, all of the elements within a city's general plan must be internally consistent, and all zoning must be in conformity with a city's general plan; and

**WHEREAS**, on October 28, 2016, the City of Yorba Linda (City) adopted its current General Plan (General Plan); and

**WHEREAS**, the City may amend all or part of its adopted General Plan to promote the public interest up to four times during any calendar year pursuant to Government Code Section 65358; and

**WHEREAS**, under California law, Government Code Section 65580 *et seq.* (Housing Element Law), every city in the State is required to periodically review and update the housing element of a general plan for the city, every city is mandated to include State-specified content in a housing element, and every city is required to submit a draft of its housing element to the California Department of Housing and Community Development (HCD) for review and determination as to whether the city's draft housing element substantially complies with the Housing Element Law; and

**WHEREAS**, between October 2020 and August 2022, City staff conducted numerous study sessions and community workshops with stakeholders, consultants, and members of the public to comment and provide direction on the content of the City's draft housing element, and conducted numerous public hearings related to the adoption of several General Plan Amendments and Zoning Code Amendments to implement the 2021-2029 Housing Element that was conditionally certified by HCD on April 8, 2022; and

**WHEREAS**, when adopting these General Plan Amendments and Zoning Code Amendments, it was determined that they were contingent upon a successful approval by

the voters of the City of Yorba Linda of General Plan Amendment 2022-02 and Zoning Code Amendment 2022-02, which was presented to the electorate of the City as Measure Z as part of the November 2022 General Election; and

**WHEREAS**, the Orange County Registrar of Voters determined that Measure Z failed to receive the approval of a majority of the electorate of the City, and therefore, General Plan Amendments 2022-01 and 2022-02 and Zoning Code Amendments 2022-01 and 2022-02 did not become effective; and

**WHEREAS**, in order to retain its conditional certification of its Housing Element from the HCD, the City is required to present a rezoning plan to the general electorate of the City by the General Election in November 2024, the City has revised its Housing Element and its associated implementation programs; and

**WHEREAS**, since November 2022, the City has prepared a revised draft Housing Element update through a robust public outreach effort of seven public workshops, which attracted nearly 400 residents from a diversity of backgrounds, ethnicities, age groups, political affiliations, geography within the city, housing tenure, and varying perspectives on housing; and

**WHEREAS**, this revised draft Housing Element was submitted to HCD for consideration and it was determined on February 23, 2024 that the City's draft Housing Element was found to be in substantial conformance with State housing laws; and

**WHEREAS**, the City of Yorba Linda 2021-2029 Housing Element identifies for the applicable 2021-2029 planning period the housing needs in the community and programs to achieve the housing goals, policies and objectives of the City, which substantially comply with State-mandated content under the State Housing Element law pursuant to the certification issued by HCD on April 8, 2024; and

**WHEREAS**, the adopted Housing Element includes implementation programs that, if and when adopted by the City Council by separate and subsequent approvals from the approval of the Housing Element, would commence implementing actions (i) to amend the Land Use Element and Land Use Map of the City's General Plan; and, (ii) to amend specified sections of the City of Yorba Linda Zoning Code, Title 18 of the Yorba Linda Municipal Code (Zoning Code) and Zoning Map; and

**WHEREAS**, the implementation programs included in the adopted Housing Element are intended to be carried out separately from the adoption by the City Council of the Housing Element to facilitate the compliance, if and as applicable, with the requirements of the Yorba Linda Right-to-Vote Amendment, Yorba Linda Municipal Code Section 18.01.010 *et seq.* (commonly known as "Measure B"), and are intended to preserve HCD's certification of the adopted Housing Element for the entirety of the 2021-2029 planning period; and

**WHEREAS**, the City Council has determined that the proposed amendment to specified provisions in the Land Use Element of the General Plan, as identified in Exhibit "A" attached to this Ordinance and incorporated herein by this reference ("General Plan Amendment 2024-01"), does not constitute a "Major Amendment" as defined in the Yorba Linda Right-to-Vote Amendment (Measure B) and is therefore not subject to the

approval of a majority vote of the electorate of the City to become effective; and

**WHEREAS**, General Plan Amendment 2024-01 would amend the Land Use Element to include the following new land use designations: “Residential Overlays” and “Residential – Very High”; and

**WHEREAS**, General Plan Amendment 2024-01 includes provisions that are part of the implementation programs and implementing actions of the adopted Housing Element, and is necessary to ensure that the Land Use Element and Housing Element will be internally consistent within the City’s General Plan, as required by State law; and

**WHEREAS**, the proposed revisions in General Plan Amendment 2024-01 are internally consistent with the other elements of the General Plan; and

**WHEREAS**, notices of a public hearing were published, posted, and delivered in accordance with State and City laws for the consideration by the Planning Commission of the proposed amendments to the Land Use Element of the General Plan (referred to herein as “General Plan Amendment 2024-01”) as part of the consideration of the proposed Housing Element and implementation programs included therein; and

**WHEREAS**, General Plan Amendment 2024-01 as identified in Exhibit “A” attached to this Ordinance, includes all of the amendments to the General Plan that do not constitute “Major Amendments” as defined in the Yorba Linda Right-to-Vote Amendment (Measure B) and are therefore not subject to the approval of a majority vote of the electorate of the City to become effective. General Plan Amendment 2024-02 includes all of the amendments to the General Plan and General Plan Land Use Diagram that constitute a “Major Amendment” as defined in the Yorba Linda Right-to-Vote Amendment (Measure B) and are therefore individually and/or collectively subject to the approval of a majority vote of the electorate of the City to become effective; and

**WHEREAS**, in accordance with State and City laws, on May 15, 2024, the Planning Commission conducted a public hearing to receive public testimony with respect to General Plan Amendment 2024-01 as part of the consideration of the adopted Housing Element implementation programs included therein; and

**WHEREAS**, the Planning Commission considered the information provided by City staff, the public testimony, and the evidence presented at the Planning Commission public hearing on May 15, 2024, which includes, without limitation, the staff reports submitted by the Community Development Department; and

**WHEREAS**, on May 15, 2024, the Planning Commission, at a regular public meeting, considered and decided to recommend to the City Council the approval of General Plan Amendment 2024-01, subject to compliance, as applicable, with the requirements of Yorba Linda Right-to-Vote Amendment (Measure B), in furtherance of the implementation programs included in the Housing Element; and

**WHEREAS**, notices of a public hearing were published, posted, and delivered in accordance with State and City laws for the consideration by the City Council of General Plan Amendment 2024-01 as part of the consideration of the adopted Housing Element implementation programs included therein; and

**WHEREAS**, in accordance with State and City laws, on June 18, 2024, the City Council conducted a public hearing to receive public testimony with respect to General Plan Amendment 2024-01 as part of the consideration of the Housing Element implementation programs included therein; and

**WHEREAS**, the City Council considered the information provided by City staff, the public testimony, and the evidence presented at the public hearing on June 18, 2024, which includes, without limitation, the staff reports submitted by the Community Development Department.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF YORBA LINDA DOES HEREBY ORDAIN AS FOLLOWS:**

Section 1. On August 2, 2022, the City Council certified a Program Environmental Impact Report (PEIR) for the 2021-2029 Housing Element through Resolution No. 2022-5817. ~~Pursuant to Government Code Section 15164, the City has prepared an addendum to the previously certified PEIR by determining that the proposed changes do not meet the conditions in Government Code Section 15162 calling for the preparation of a subsequent EIR. Pursuant to 14 California Code of Regulations, § 15164, an Addendum to the Program Environmental Impact Report for the City of Yorba Linda 2021-2029 Housing Element Implementation Programs (State Clearinghouse # 2022040574) has been prepared.~~

The City, serving as the CEQA Lead Agency for the Revised Project (see CEQA Guidelines Sections 15050-15051), determined in its independent judgment that the Revised Project does not meet any of the circumstances from CEQA Guidelines Section 15162 and that an Addendum to the 2022 Certified PEIR is the appropriate CEQA compliance document for the Revised Project. The City's finding is based on the following facts:

- a. As demonstrated in Section 4.0 of the Addendum, the Revised Project would not require major revisions to the previously-certified 2022 Certified PEIR because implementation of the Revised Project would neither result in any significant impacts to the physical environment that were not already disclosed in the 2022 Certified PEIR nor result in substantial increases in the severity of the environmental impacts previously disclosed in the 2022 Certified PEIR.
- b. Subsequent to the certification of the 2022 Certified PEIR, no substantial changes in the circumstances under which the Revised Project would be undertaken have occurred that would require major revisions to the 2022 Certified PEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
- c. There is no evidence in the public record that new information of substantial importance has become available that is applicable to the Revised Project and/or the City (Project site), that was not known and could not have been known with the exercise of reasonable diligence at the time the 2022 Certified PEIR was certified and would alter the conclusions of the 2022 Certified PEIR.

Section 2. The City Council has read and considered the amendments to the

General Plan (referred to herein as “General Plan Amendment 2024-01”) as part of the consideration of the adopted Housing Element implementation programs included therein.

Section 3. Pursuant to Section 18.36.675 of the Yorba Linda Zoning Code, the City Council finds that General Plan Amendment 2024-01 is necessary to ensure that the General Plan is consistent within the City’s other General Plan policies, goals and objectives, specifically as outlined in the Housing Element, and is consistent with the objectives of the Zoning Code.

Section 4. The City Council finds that General Plan Amendment 2024-01 is necessary to implement the Housing Element programs established in the 2021-2029 Housing Element, and as approved by the State of California, and would permit and encourage the development of affordable housing opportunities pursuant to the Regional Housing Needs Assessment (RHNA) requirements, as set forth in the Housing Element Law and applicable State Guidelines, in locations adjacent to supporting services and public transportation provided they are compatible with, and will not adversely impact, the integrity and continuity of adjacent uses.

Section 5. The City Council hereby accepts the recommendation of the Planning Commission to adopt General Plan Amendment 2024-01 as part of the consideration of the adopted Housing Element implementation programs included therein.

Section 6. The City Council hereby adopts General Plan Amendment 2024-01.

Section 7. The City Council hereby finds that General Plan Amendment 2024-01 is not a “Major Amendment” as defined in the Yorba Linda Right-to-Vote Amendment (Measure B), and is therefore not subject to the approval of a majority vote of the electorate of the City to become effective, because General Plan Amendment 2024-01 does not result in any of the changes identified in Section 18.01.030(A) of the Yorba Linda Municipal Code to a Planning Policy document for any parcel of land affected by General Plan Amendment 2024-01 that would do any of the following: (1) increase the number of residential units which may be constructed on a parcel designated for residential uses; (2) increase the number of separate parcels which may be created from an existing parcel; (3) change any residential land use to allow any other land use; (4) change any non-residential land use to allow any residential land use greater than ten (10) net dwelling units per acre or allow a mix of commercial and residential uses; (5) increase the allowed maximum height of development; (6) provide for the private development of land owned by a government entity within five years of the date of the approval to develop the land; or (7) repeal any “Planning Policy Document” as defined in Section 18.01.02 of the Yorba Linda Municipal Code; rather, General Plan Amendment 2024-01 is comprised of the establishment of land use classifications for overlay zones that do not, in and of themselves, effect a particular parcel of land.

Section 8. The City Manager or his designee is hereby authorized and directed to incorporate into the General Plan the amendments thereto as set forth in General Plan Amendment 2024-01, upon the effective date of this Ordinance.

Section 9. 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 Yorba Linda hereby 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 thereof may be declared invalid or unconstitutional.

Section 10. This Ordinance is contingent upon a successful approval by the voters of the City of Yorba Linda of General Plan Amendment 2024-02 and Zoning Code Amendment 2024-02 and shall go into effect ten (10) days after such successful vote is declared by the legislative body.

Section 11. The City Clerk shall certify to the passage and adoption of this Ordinance, and shall cause the same to be published within fifteen (15) days after passage in accordance with law and as designated by resolution of the City Council, and shall cause this Ordinance and its certification, together with proof of publication, to be entered into the Book of Ordinances of the City of Yorba Linda.

**PASSED, APPROVED AND ADOPTED** at an adjourned regular meeting of the City Council of the City of Yorba Linda on this 16<sup>th</sup> day of July, 2024.

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TARA CAMPBELL, MAYOR  
CITY OF YORBA LINDA

ATTEST:

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MARCIA BROWN, CITY CLERK  
CITY OF YORBA LINDA

(SEAL)

STATE OF CALIFORNIA )  
COUNTY OF ORANGE )  
CITY OF YORBA LINDA )

**I, MARCIA BROWN**, City Clerk of the City of Yorba Linda, California, **DO HEREBY CERTIFY** that the foregoing Ordinance was adopted at an adjourned regular meeting of the City Council of the City of Yorba Linda held on the 16<sup>th</sup> day of July, 2024, and was carried by the following roll call vote:

AYES:           COUNCILMEMBERS:  
NOES:           COUNCILMEMBERS:  
ABSENT:        COUNCILMEMBERS:

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MARCIA BROWN, CITY CLERK  
CITY OF YORBA LINDA

**EXHIBIT "A"**

**GENERAL PLAN AMENDMENT 2024-01  
 (Comprised of Item #1 – Item #4)**

**MODIFICATIONS TO THE TEXT OF THE LAND USE ELEMENT  
 OF THE CITY OF YORBA LINDA GENERAL PLAN**

Item No.	Page/Location	Amendment/Change
2	LU-24 – Last Paragraph	<p><i>Add the following sentence to the end of the description for Residential – High:</i></p> <p>While the R-H land use designation covers a wide range of densities as a general land use description, the actual permitted densities are established under the Zoning Code standards in Title 18 of the Municipal Code. This density range is not to be construed as allowing this density range to be permitted as the development standards on properties containing this General Plan land use designation.</p>
1	LU-25 – First Paragraph	<p><i>Add the following paragraph describing overlay zones:</i></p> <p><b>Residential Overlays (20 – 35 du/ac)</b> – The Affordable Housing Overlay, Congregational Lands Overlay, and Mixed-Use Overlay zones permit a variety of multi-family dwelling types at a density of 20.0 to 35.0 dwelling units per acre. The appropriate housing types are predicated based on the site, location, adjacent land uses, and the purpose of the individual overlay zone as described in Section 18.17 of the Yorba Linda Zoning Code. Clustering of buildings allows for the provision of appropriate private recreational and open space amenities. The overlay zones encourage the inclusion of at least 20% affordable housing units in an effort to affirmatively further fair housing opportunities.</p>
3	LU-25 – Second Paragraph	<p><i>Add the following paragraphs describing the Residential – Very High (60 du/ac) land use designation:</i></p> <p><b>Residential – Very High (60 du/ac)</b> – Very High Density Residential areas permit a variety of types of attached products and apartments. The Very High Density Residential designation permits a density range of greater than 40.0 dwelling units per acre up to 60.0 dwelling units per acre. The appropriate housing type is predicated on the site, location, and adjacent land uses. Clustering of buildings allows for the provision of appropriate private recreational and open space amenities. Very high density designations have been advantageously located for proximity to retail, commercial, and employment opportunities.</p>

Item No.	Page/Location	Amendment/Change
4	Tables LU-1 and LU-3	<ul style="list-style-type: none"> <li>• <i>Add the Residential Very High (R-VH) as a land use designation with 20-60 du/ac for density/intensity over 14.6 acres</i></li> <li>• <i>Reduce the acreage for Industrial Manufacturing (I-M) to 260.32</i></li> <li>• <i>Increase the acreage for Residential High (R-H) to 591.83</i></li> <li>• <i>Reduce the acreage for Residential Low (R-L) to 406.2</i></li> <li>• <i>Reduce the acreage for Residential Medium-Low (R-ML) to 2,346.21</i></li> <li>• <i>Reduce the acreage for Residential Medium (R-M) to 1,954.28</i></li> <li>• <i>Reduce the acreage for Residential Medium-High (R-MH) to 1,160.18</i></li> </ul>



## ORDINANCE NO. 2024-1109

### AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YORBA LINDA AMENDING THE TEXT OF THE LAND USE ELEMENT AND AMENDING THE LAND USE DIAGRAM OF THE YORBA LINDA GENERAL PLAN (GENERAL PLAN AMENDMENT 2024-02) PURSUANT TO THE IMPLEMENTATION PROGRAMS OF THE CITY OF YORBA LINDA 2021-2029 HOUSING ELEMENT, WITH THE ADOPTION OF EACH INDIVIDUAL ITEM IDENTIFIED IN GENERAL PLAN AMENDMENT 2024-02 CONTINGENT UPON APPROVAL BY A MAJORITY VOTE OF THE ELECTORATE OF THE CITY OF YORBA LINDA IN COMPLIANCE WITH THE YORBA LINDA RIGHT-TO-VOTE AMENDMENT

**WHEREAS**, under California law, every city must adopt a general plan, which must include specified mandatory elements, in furtherance of the State policy to provide a comprehensive, long-term plan for the physical development and use of property within a city's jurisdiction; and

**WHEREAS**, under California law, every city has the authority to adopt and amend a zoning code pursuant to a city's general police power, which allows for the orderly division of property within a city's jurisdiction into compatible uses and development standards so as to improve and protect the general welfare; and

**WHEREAS**, under California law, all of the elements within a city's general plan must be internally consistent, and all zoning must be in conformity with a city's general plan; and

**WHEREAS**, on October 28, 2016, the City of Yorba Linda (City) adopted its current General Plan (General Plan); and

**WHEREAS**, the City may amend all or part of its adopted General Plan to promote the public interest up to four times during any calendar year pursuant to Government Code Section 65358; and

**WHEREAS**, under California law, Government Code Section 65580 *et seq.* (Housing Element Law), every city in the State is required to periodically review and update the housing element of a general plan for the city, every city is mandated to include State-specified content in a housing element, and every city is required to submit a draft of its housing element to the California Department of Housing and Community Development (HCD) for review and determination as to whether the city's draft housing element substantially complies with the Housing Element Law; and

**WHEREAS**, between October 2020 and August 2022, City staff conducted numerous study sessions and community workshops with stakeholders, consultants, and members of the public to comment and provide direction on the content of the City's draft housing element, and conducted numerous public hearings related to the adoption of several General Plan Amendments and Zoning Code Amendments to implement the 2021-2029 Housing Element that was conditionally certified by HCD on April 8, 2022; and

**WHEREAS**, when adopting these General Plan Amendments and Zoning Code Amendments, it was determined that they were contingent upon a successful approval by the voters of the City of Yorba Linda of General Plan Amendment 2022-02 and Zoning Code Amendment 2022-02, which was presented to the electorate of the City as Measure Z as part of the November 2022 General Election; and

**WHEREAS**, the Orange County Registrar of Voters determined that Measure Z failed to receive the approval of a majority of the electorate of the City, and therefore, General Plan Amendments 2022-01 and 2022-02 and Zoning Code Amendments 2022-01 and 2022-02 did not become effective; and

**WHEREAS**, in order to retain its conditional certification of its Housing Element from the HCD, the City is required to present a rezoning plan to the general electorate of the City by the General Election in November 2024, the City has revised its Housing Element and its associated implementation programs; and

**WHEREAS**, since November 2022, the City has prepared a revised draft Housing Element update through a robust public outreach effort of seven public workshops, which attracted nearly 400 residents from a diversity of backgrounds, ethnicities, age groups, political affiliations, geography within the city, housing tenure, and varying perspectives on housing; and

**WHEREAS**, this revised draft Housing Element was submitted to HCD for consideration and it was determined on February 23, 2024 that the City's draft Housing Element was found to be in substantial conformance with State housing laws; and

**WHEREAS**, the City of Yorba Linda 2021-2029 Housing Element identifies for the applicable 2021-2029 planning period the housing needs in the community and programs to achieve the housing goals, policies and objectives of the City, which substantially comply with State-mandated content under the State Housing Element law pursuant to the certification issued by HCD on April 8, 2022; and

**WHEREAS**, the adopted Housing Element includes implementation programs that, if and when adopted by the City Council by separate and subsequent approvals from the approval of the Housing Element, would commence implementing actions (i) to amend the Land Use Element and Land Use Map of the City's General Plan; and, (ii) to amend specified sections of the City of Yorba Linda Zoning Code, Title 18 of the Yorba Linda Municipal Code (Zoning Code) and Zoning Map; and

**WHEREAS**, the implementation programs included in the adopted Housing Element are intended to be carried out separately from the adoption by the City Council of the Housing Element to facilitate the compliance, if and as applicable, with the requirements of the Yorba Linda Right-to-Vote Amendment, Yorba Linda Municipal Code Section 18.01.010 *et seq.* (commonly known as "Measure B"), and are intended to preserve HCD's certification of the adopted Housing Element for the entirety of the 2021-2029 planning period; and

**WHEREAS**, the City Council has determined that the proposed amendments to specified provisions in the City of Yorba Linda Land Use Diagram, as identified in Exhibit "A" attached to this Ordinance and incorporated herein by this reference ("General

Plan Amendment 2024-02”), each constitute a “Major Amendment” as defined in the Yorba Linda Right-to-Vote Amendment (Measure B) and are therefore individually and/or collectively subject to the approval of a majority vote of the electorate of the City to become effective; and

**WHEREAS**, General Plan Amendment 2024-02 would amend the Land Use Element of the General Plan to increase the total residential capacity in the Community Core/Downtown Historical District Area Plan by 166 dwelling units to account for Sites S3-082, S3-204, and S4-075; and

**WHEREAS**, General Plan Amendment 2024-02 would amend the Land Use Element of the General Plan to increase the total residential capacity in the West Bastanchury Area Plan by 194 dwelling units to account for Sites S3-203 and S3-210; and

**WHEREAS**, General Plan Amendment 2024-02 would amend the Land Use Diagram by changing the land use designations for the following sites to “Residential - High”: APN #322-061-01, -08, -10, -12 -13, -14, -15, -16, -17, -18, -18, -19, -20, -21 (Site S1-200), APN #323-311-03 (Site S4-075), APN #334-101-39, -40 (Site S3-082), APN #323-081-35, -36 (Site S4-204B), APN #323-051-26, -27 (Site S3-211), APN #323-231-18, -19 (Site S4-200), APN #343-591-05, -06, -07, -25 (Site S3-207); and

**WHEREAS**, General Plan Amendment 2024-02 includes provisions that are part of the implementation programs and implementing actions of the adopted Housing Element, and is necessary to ensure that the Land Use Element and Housing Element will be internally consistent within the City’s General Plan, as required by State law; and

**WHEREAS**, the proposed revisions in General Plan Amendment 2024-02 are internally consistent with the other elements of the General Plan; and

**WHEREAS**, notices of a public hearing were published, posted, and delivered in accordance with State and City laws for the consideration by the Planning Commission of the proposed amendments to the Land Use Element of the General Plan and General Plan Land Use Diagram (referred to herein as “General Plan Amendment 2024-02”) as part of the consideration of the proposed Housing Element and implementation programs included therein; and

**WHEREAS**, General Plan Amendment 2024-02 as identified in Exhibit “A” attached to this Ordinance, includes all of the amendments to the General Plan and General Plan Land Use Diagram that constitute a “Major Amendment” as defined in the Yorba Linda Right-to-Vote Amendment (Measure B) and are therefore individually and/or collectively subject to the approval of a majority vote of the electorate of the City to become effective. General Plan Amendment 2024-01 includes all of the amendments to the General Plan that do not constitute “Major Amendments” as defined in the Yorba Linda Right-to-Vote Amendment (Measure B) and are therefore not subject to the approval of a majority vote of the electorate of the City to become effective.; and

**WHEREAS**, in accordance with State and City laws, on May 15, 2024, the Planning Commission conducted a public hearing to receive public testimony with respect to General Plan Amendment 2024-02 as part of the consideration of the adopted Housing

Element implementation programs included therein; and

**WHEREAS**, the Planning Commission considered the information provided by City staff, the public testimony, and the evidence presented at the Planning Commission public hearing on May 15, 2024, which includes, without limitation, the staff reports submitted by the Community Development Department; and

**WHEREAS**, on May 15, 2024, the Planning Commission, at a regular public meeting, considered and decided to recommend to the City Council the approval of General Plan Amendment 2024-02, subject to compliance, as applicable, with the requirements of Yorba Linda Right-to-Vote Amendment (Measure B), in furtherance of the implementation programs included in the Housing Element; and

**WHEREAS**, notices of a public hearing were published, posted, and delivered in accordance with State and City laws for the consideration by the City Council of General Plan Amendment 2024-02 as part of the consideration of the adopted Housing Element implementation programs included therein; and

**WHEREAS**, in accordance with State and City laws, on August 2, 2024, the City Council conducted a public hearing to receive public testimony with respect to General Plan Amendment 2024-02 as part of the consideration of the Housing Element implementation programs included therein; and

**WHEREAS**, the City Council considered the information provided by City staff, the public testimony, and the evidence presented at the public hearing on August 2, 2024, which includes, without limitation, the staff reports submitted by the Community Development Department.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF YORBA LINDA DOES HEREBY ORDAIN AS FOLLOWS:**

Section 1. On August 2, 2022, the City Council certified a Program Environmental Impact Report (PEIR) for the 2021-2029 Housing Element through Resolution No. 2022-5817. ~~Pursuant to Government Code Section 15164, the City has prepared an addendum to the previously certified PEIR by determining that the proposed changes do not meet the conditions in Government Code Section 15162 calling for the preparation of a subsequent EIR. Pursuant to 14 California Code of Regulations, § 15164, an Addendum to the Program Environmental Impact Report for the City of Yorba Linda 2021-2029 Housing Element Implementation Programs (State Clearinghouse # 2022040574) has been prepared.~~

The City, serving as the CEQA Lead Agency for the Revised Project (see CEQA Guidelines Sections 15050-15051), determined in its independent judgment that the Revised Project does not meet any of the circumstances from CEQA Guidelines Section 15162 and that an Addendum to the 2022 Certified PEIR is the appropriate CEQA compliance document for the Revised Project. The City's finding is based on the following facts:

- a. As demonstrated in Section 4.0 of the Addendum, the Revised Project would not require major revisions to the previously-certified 2022 Certified PEIR because

implementation of the Revised Project would neither result in any significant impacts to the physical environment that were not already disclosed in the 2022 Certified PEIR nor result in substantial increases in the severity of the environmental impacts previously disclosed in the 2022 Certified PEIR.

b. Subsequent to the certification of the 2022 Certified PEIR, no substantial changes in the circumstances under which the Revised Project would be undertaken have occurred that would require major revisions to the 2022 Certified PEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

c. There is no evidence in the public record that new information of substantial importance has become available that is applicable to the Revised Project and/or the City (Project site), that was not known and could not have been known with the exercise of reasonable diligence at the time the 2022 Certified PEIR was certified and would alter the conclusions of the 2022 Certified PEIR.

Section 2. The City Council has read and considered the amendments to the General Plan (referred to herein as “General Plan Amendment 2024-02”) as part of the consideration of the adopted Housing Element implementation programs included therein.

Section 3. Pursuant to Section 18.36.675 of the Yorba Linda Zoning Code, the City Council finds that General Plan Amendment 2024-02 is necessary to ensure that the General Plan is consistent within the City’s other General Plan policies, goals and objectives, specifically the Housing Element, and is consistent with the objectives of the Zoning Code.

Section 4. The City Council finds that General Plan Amendment 2024-02 is necessary to implement the Housing Element programs established in the 2021-2029 Housing Element, and as approved by the State of California, and would permit and encourage the development of affordable housing opportunities pursuant to the Regional Housing Needs Assessment (RHNA) requirements, as set forth in the Housing Element Law and applicable State Guidelines, in locations adjacent to supporting services and public transportation provided they are compatible with, and will not adversely impact, the integrity and continuity of adjacent uses.

Section 5. The City Council hereby accepts the recommendation of the Planning Commission as modified herein to adopt General Plan Amendment 2024-02 as part of the consideration of the adopted Housing Element implementation programs included therein.

Section 6. The City Council hereby adopts General Plan Amendment 2024-02, subject to each item identified therein to become effective only upon the approval by a majority vote of the electorate of the City of Yorba Linda voting “YES” on a ballot measure for the adoption of that item of General Plan Amendment 2024-02 at a duly noticed and held regular or special election of the electorate of the City of Yorba Linda.

Section 7. Pursuant to Elections Code section 9222, the City Council by subsequent ordinance or resolution shall identify the date of the election during which

items identified in General Plan Amendment 2024-02 will be submitted for consideration by the electorate of the City of Yorba Linda, which election date shall be held not less than eighty-eight (88) days after the date of the subsequent ordinance or Ordinance ordering the election. Upon the ordering of the election by the City Council, the City Clerk shall be authorized and directed to take any and all necessary and proper actions to submit any identified items in General Plan Amendment 2024-02 to a vote of the electorate of the City of Yorba Linda in accordance with applicable State, County, and City laws, including the Yorba Linda Right-to-Vote Amendment (Measure B). The City Council hereby reserves the authority to submit the items identified in General Plan Amendment 2024-02 to a vote of the electorate of the City of Yorba Linda in separate elections. None of the items identified in General Plan Amendment 2024-02 shall take effect until approved by a majority vote of the electorate of the City of Yorba Linda.

Section 8. 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 Yorba Linda hereby 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 thereof may be declared invalid or unconstitutional.

Section 9. This Ordinance is contingent upon a successful approval by the voters of the City of Yorba Linda and shall go into effect ten (10) days after such successful vote is declared by the legislative body.

Section 10. The City Clerk shall certify to the passage and adoption of this Ordinance, and shall cause the same to be published within fifteen (15) days after passage in accordance with law and as designated by resolution of the City Council, and shall cause this Ordinance and its certification, together with proof of publication, to be entered into the Book of Ordinances of the City of Yorba Linda.

**PASSED, APPROVED AND ADOPTED** at a regular meeting of the City Council of the City of Yorba Linda on this 16<sup>th</sup> day of July, 2024.

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TARA CAMPBELL, MAYOR  
CITY OF YORBA LINDA

ATTEST:

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MARCIA BROWN, CITY CLERK

CITY OF YORBA LINDA

(SEAL)

STATE OF CALIFORNIA )  
COUNTY OF ORANGE )  
CITY OF YORBA LINDA )

**I, MARCIA BROWN**, City Clerk of the City of Yorba Linda, California, **DO HEREBY CERTIFY** that the foregoing Ordinance was adopted at a regular meeting of the City Council of the City of Yorba Linda held on the 16<sup>th</sup> day of July, 2024, and was carried by the following roll call vote:

AYES:            COUNCILMEMBERS:  
NOES:            COUNCILMEMBERS:  
ABSENT:        COUNCILMEMBERS:

\_\_\_\_\_  
MARCIA BROWN, CITY CLERK  
CITY OF YORBA LINDA

**EXHIBIT “A”**

**GENERAL PLAN AMENDMENT 2024-02**  
**(Comprised of Item #1 – Item #8)**

**MODIFICATIONS TO THE TEXT OF THE LAND USE ELEMENT  
 OF THE CITY OF YORBA LINDA GENERAL PLAN**

<b>Item No.</b>	<b>Page/Location</b>	<b>Amendment/Change</b>
1	LU-25	Allowing multi-family housing between 20 to 60 DU/AC may be considered for specified sites within SAVI Ranch as described in the Housing Element.
2	LU-26	Increase the total residential capacity in the Community Core/Downtown Historical District Area Plan by 166 dwelling units to account for Sites S3-082, S3-204 and S4-075
3	LU-28	Increase the total residential capacity in the West Bastanchury Area Plan by 194 dwelling units to account for Sites S3-203 and S3-210

**MODIFICATIONS TO THE LAND USE DIAGRAM  
 OF THE CITY OF YORBA LINDA GENERAL PLAN**

<b>Item No.</b>	<b>Page/Location</b>	<b>Site No.</b>	<b>Site Description</b>	<b>Amendment/Change</b>
4	Map	Site S1-200	APN #322-061-01, -08, -10, -12 -13, -14, -15, -16, -17, -18, -18, -19, -20, -21	<i>Replace Land Use Diagram with updated version showing that the land use designation for this site has changed from “Residential – Medium Low” to “Residential - High”.</i>
5	Map	Site S4-200	APN #323-231-18, -19	<i>Replace Land Use Diagram with updated version showing that the land use designation for this site has changed from “Residential – Medium” to “Residential - High”</i>
6	Map	Site S4-204B	APN 323-081-35, -36	<i>Replace Land Use Diagram with updated version showing that the land use designation for this site has changed from “Residential – Medium Low” to “Residential - High”</i>
7	Map	Site S3-211	APN #323-051-26, -27	<i>Replace Land Use Diagram with updated version showing that the land use designation for this site has changed from “Residential – Medium” to “Residential - High”</i>
8	Map	Site S3-207	APN #343-591-05, -06, -07, -25,	<i>Replace Land Use Diagram with updated version showing that the land use designation for this site has changed from “Residential – Medium” to “Residential - High”</i>

**ORDINANCE NO. 2024-1110**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YORBA LINDA AMENDING THE CITY OF YORBA LINDA ZONING CODE PURSUANT TO THE IMPLEMENTATION PROGRAMS OF THE CITY OF YORBA LINDA 2021-2029 HOUSING ELEMENT, AND FINDING THAT ZONING CODE AMENDMENT ZCA 2024-01 IS NOT SUBJECT TO A VOTE OF THE ELECTORATE OF THE CITY OF YORBA LINDA UNDER THE YORBA LINDA RIGHT-TO-VOTE AMENDMENT**

**WHEREAS**, under California law, every city must adopt a general plan, which must include specified mandatory elements, in furtherance of the State policy to provide a comprehensive, long-term plan for the physical development and use of property within a city's jurisdiction; and

**WHEREAS**, under California law, every city has the authority to adopt and amend a zoning code pursuant to a city's general police power, which allows for the orderly division of property within a city's jurisdiction into compatible uses and development standards so as to improve and protect the general welfare; and

**WHEREAS**, under California law, all of the elements within a city's general plan must be internally consistent, and all zoning must be in conformity with a city's general plan; and

**WHEREAS**, on October 28, 2016, the City of Yorba Linda (City) adopted its current General Plan (General Plan); and

**WHEREAS**, the City may amend all or part of its adopted General Plan to promote the public interest up to four times during any calendar year pursuant to Government Code Section 65358; and

**WHEREAS**, under California law, Government Code Section 65580 *et seq.* (Housing Element Law), every city in the State is required to periodically review and update the housing element of a general plan for the city, every city is mandated to include State-specified content in a housing element, and every city is required to submit a draft of its housing element to the California Department of Housing and Community Development (HCD) for review and determination as to whether the city's draft housing element substantially complies with the Housing Element Law; and

**WHEREAS**, between October 2020 and August 2022, City staff conducted numerous study sessions and community workshops with stakeholders, consultants, and members of the public to comment and provide direction on the content of the City's draft housing element, and conducted numerous public hearings related to the adoption of several General Plan Amendments and Zoning Code Amendments to implement the 2021-2029 Housing Element that was conditionally certified by HCD on April 8, 2022; and

**WHEREAS**, when adopting these General Plan Amendments and Zoning Code Amendments, it was determined that they were contingent upon a successful approval by the voters of the City of Yorba Linda of General Plan Amendment 2022-02 and Zoning

Code Amendment 2022-02, which was presented to the electorate of the City as Measure Z as part of the November 2022 General Election; and

**WHEREAS**, the Orange County Registrar of Voters determined that Measure Z failed to receive the approval of a majority of the electorate of the City, and therefore, General Plan Amendments 2022-01 and 2022-02 and Zoning Code Amendments 2022-01 and 2022-02 did not become effective; and

**WHEREAS**, in order to retain its conditional certification of its Housing Element from the HCD, the City is required to present a rezoning plan to the general electorate of the City by the General Election in November 2024, the City has revised its Housing Element and its associated implementation programs; and

**WHEREAS**, since November 2022, the City has prepared a revised draft Housing Element update through a robust public outreach effort of seven public workshops, which attracted nearly 400 residents from a diversity of backgrounds, ethnicities, age groups, political affiliations, geography within the city, housing tenure, and varying perspectives on housing; and

**WHEREAS**, this revised draft Housing Element was submitted to HCD for consideration and it was determined on February 23, 2024 that the City's draft Housing Element was found to be in substantial conformance with State housing laws; and

**WHEREAS**, the City of Yorba Linda 2021-2029 Housing Element identifies for the applicable 2021-2029 planning period the housing needs in the community and programs to achieve the housing goals, policies and objectives of the City, which substantially comply with State-mandated content under the State Housing Element law pursuant to the certification issued by HCD on April 8, 2022; and

**WHEREAS**, the adopted Housing Element includes implementation programs that, if and when adopted by the City Council by separate and subsequent approvals from the approval of the Housing Element, would commence implementing actions (i) to amend the Land Use Element and Land Use Map of the City's General Plan; and, (ii) to amend specified sections of the City of Yorba Linda Zoning Code, Title 18 of the Yorba Linda Municipal Code (Zoning Code) and Zoning Map; and

**WHEREAS**, the implementation programs included in the adopted Housing Element are intended to be carried out separately from the adoption by the City Council of the Housing Element to facilitate the compliance, if and as applicable, with the requirements of the Yorba Linda Right-to-Vote Amendment, Yorba Linda Municipal Code Section 18.01.010 *et seq.* (commonly known as "Measure B"), and are intended to preserve HCD's certification of the adopted Housing Element for the entirety of the 2021-2029 planning period; and

**WHEREAS**, the proposed amendment to specified provisions in the Zoning Code, as identified in Exhibit "A" attached to this Ordinance and incorporated herein by this reference ("Zoning Code Amendment 2024-01") are part of the implementation programs and implementing actions of the adopted Housing Element, and are necessary to ensure that the Zoning Code is consistent within the City's General Plan, as required by State law; and

**WHEREAS**, Zoning Code Amendment 2024-01 would amend the definition for “affordable housing definitions” as described in Exhibit A; and

**WHEREAS**, Zoning Code Amendment 2024-01 would incorporate the City’s Multi-Family Design Guidelines as written, objective development standards for multi-family development as described in Exhibit A; and

**WHEREAS**, Zoning Code Amendment 2024-01 would add Chapter 18.17 (Overlay Zones) to the Zoning Code as described in Exhibit A; and

**WHEREAS**, Zoning Code Amendment 2024-01 would amend Chapter 18.36 (Administration) Article II (Design Review) to the Zoning Code as described in Exhibit A; and

**WHEREAS**, Zoning Code Amendment 2024-01 would amend the text of the Yorba Linda Hills Planned Development (PD) to split Area E into two separate area designations, the upper approximately 18 acres would become Area D (Open Space) and the lower approximately 9 acres would become Area E for APN 326-081-01; moreover Area E would be amended from Church use to RM standards at 3 dwelling units per acre; and

**WHEREAS**, the City Council has determined that Zoning Code 2022-01 does not constitute a “Major Amendment” as defined in the Yorba Linda Right-to-Vote Amendment (Measure B) and is therefore not subject to the approval of a majority vote of the electorate of the City to become effective; and

**WHEREAS**, Zoning Code Amendment 2024-01 includes provisions that are part of the implementation programs and implementing actions of the adopted Housing Element, and is necessary to ensure that the City’s Zoning Code is consistent with the City’s General Plan, as required by State law; and

**WHEREAS**, the Yorba Linda Hills Planned Development (PD) is not a “Planning Policy Document” under the Yorba Linda Right-to-Vote Amendment, Yorba Linda Municipal Code Section 18.01.020 (Measure B) and moreover, the proposed zoning changes consist of modifying Area E in Yorba Linda Hills Planned Development from “Church”, which is a non-residential land use to “Open Space”, which is a non-residential land-use and “RM Standards (3 du/ac)”, which is a residential land use but less than 10 dwelling units per acre; and

**WHEREAS**, the Zoning Code and the Zoning Map are “Planning Policy Documents” under the Yorba Linda Right-to-Vote Amendment, Yorba Linda Municipal Code Section 18.01.020 (Measure B), which has additional public notice and public hearing requirements that require the Planning Commission to hold a public hearing pursuant to Section 18.01.040 that otherwise may not be required under state law; and

**WHEREAS**, notices of a public hearing were published, posted, and delivered in accordance with State and City laws for the consideration by the Planning Commission of the proposed amendments to the Zoning Code (referred to herein as Zoning Code Amendment 2024-01) as part of the consideration of the adopted Housing Element and implementation programs included therein; and

**WHEREAS**, Zoning Code Amendment 2024-01, as identified in Exhibit "A" attached to this Ordinance, includes all of the amendments to the Zoning Code that do not constitute "Major Amendments" as defined in the Yorba Linda Right-to-Vote Amendment (Measure B) and are therefore not subject to the approval of a majority vote of the electorate of the City to become effective. Zoning Code Amendment 2024-02 includes all of the amendments to the Zoning Code and Zoning Map that constitute a "Major Amendment" as defined in the Yorba Linda Right-to-Vote Amendment (Measure B) and are therefore individually and/or collectively subject to the approval of a majority vote of the electorate of the City to become effective; and

**WHEREAS**, in accordance with State and City laws, on May 15, 2024, the Planning Commission conducted a public hearing to receive public testimony with respect to Zoning Code Amendment 2024-01 as part of the consideration of the adopted Housing Element implementation programs included therein; and

**WHEREAS**, the Planning Commission considered the information provided by City staff, the public testimony, and the evidence presented at the Planning Commission public hearing on May 15, 2024, which includes, without limitation, the staff reports submitted by the Community Development Department; and

**WHEREAS**, on May 15, 2024, the Planning Commission, at a regular public meeting, considered and decided to recommend to the City Council the approval of Zoning Code Amendment 2024-01, subject to compliance, as applicable, with the requirements of Yorba Linda Right-to-Vote Amendment (Measure B), in furtherance of the implementation programs included in the Housing Element; and

**WHEREAS**, notices of a public hearing were published, posted, and delivered in accordance with State and City laws for the consideration by the City Council of Zoning Code Amendment 2024-01 as part of the consideration of the adopted Housing Element implementation programs included therein; and

**WHEREAS**, in accordance with State and City laws, on June 18, 2024, the City Council conducted a public hearing to receive public testimony with respect to Zoning Code Amendment 2024-01 as part of the consideration of the Housing Element implementation programs included therein; and

**WHEREAS**, the City Council considered the information provided by City staff, the public testimony, and the evidence presented at the public hearing on June 18, 2024, which includes, without limitation, the staff reports submitted by the Community Development Department.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF YORBA LINDA DOES HEREBY ORDAIN AS FOLLOWS:**

Section 1. On August 2, 2022, the City Council certified a Program Environmental Impact Report (PEIR) for the 2021-2029 Housing Element through Resolution No. 2022-5817. ~~Pursuant to Government Code Section 15164, the City has prepared an addendum to the previously certified PEIR by determining that the proposed changes do not meet the conditions in Government Code Section 15162 calling for the preparation of a subsequent EIR. Pursuant to 14 California Code of Regulations, § 15164, an Addendum to the Program Environmental Impact Report for the City of Yorba Linda 2021-2029 Housing~~

Element Implementation Programs (State Clearinghouse # 2022040574) has been prepared.

The City, serving as the CEQA Lead Agency for the Revised Project (see CEQA Guidelines Sections 15050-15051), determined in its independent judgment that the Revised Project does not meet any of the circumstances from CEQA Guidelines Section 15162 and that an Addendum to the 2022 Certified PEIR is the appropriate CEQA compliance document for the Revised Project. The City's finding is based on the following facts:

- a. As demonstrated in Section 4.0 of the Addendum, the Revised Project would not require major revisions to the previously-certified 2022 Certified PEIR because implementation of the Revised Project would neither result in any significant impacts to the physical environment that were not already disclosed in the 2022 Certified PEIR nor result in substantial increases in the severity of the environmental impacts previously disclosed in the 2022 Certified PEIR.
- b. Subsequent to the certification of the 2022 Certified PEIR, no substantial changes in the circumstances under which the Revised Project would be undertaken have occurred that would require major revisions to the 2022 Certified PEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
- c. There is no evidence in the public record that new information of substantial importance has become available that is applicable to the Revised Project and/or the City (Project site), that was not known and could not have been known with the exercise of reasonable diligence at the time the 2022 Certified PEIR was certified and would alter the conclusions of the 2022 Certified PEIR.

Section 2. The City Council has read and considered the amendments to the Zoning Code (referred to herein as "Zoning Code Amendment 2024-01") as part of the consideration of the adopted Housing Element implementation programs included therein.

Section 3. Pursuant to Section 18.36.675 of the Yorba Linda Zoning Code, the City Council finds that Zoning Code Amendment 2024-01 is necessary to ensure that the Zoning Code is consistent within the City's General Plan policies, goals and objectives and is consistent with the objectives of the Zoning Code.

Section 4. The City Council finds that Zoning Code Amendment 2024-01 is necessary to establish development standards that, when applied to specific sites identified in Zoning Code Amendment 2024-02, would permit and encourage the development of affordable housing opportunities pursuant to the Regional Housing Needs Assessment (RHNA) requirements, as set forth in the Housing Element Law and applicable State Guidelines, in locations adjacent to supporting services and public transportation provided they are compatible with, and will not adversely impact, the integrity and continuity of adjacent uses.

Section 5. The City Council hereby accepts the recommendation of the Planning Commission as modified herein to adopt Zoning Code Amendment 2024-01 as part of the consideration of the adopted Housing Element implementation programs included therein.

Section 6. The City Council hereby adopts Zoning Code Amendment 2024-01.

Section 7. The City Council hereby finds that Zoning Code Amendment 2024-01 is not a "Major Amendment" as defined in the Yorba Linda Right-to-Vote Amendment (Measure B), and is therefore not subject to the approval of a majority vote of the electorate of the City to become effective, because Zoning Code Amendment 2022-01 does not result in any of the changes identified in Section 18.01.030(A) of the Yorba Linda Municipal Code to the development standards for any parcel of land affected by Zoning Code Amendment 2022-01. Specifically, Zoning Code Amendment 2022-01 does not: (1) increase the number of residential units which may be constructed on a parcel designated for residential uses; (2) increase the number of separate parcels which may be created from an existing parcel; (3) change any residential land use to allow any other land use; (4) change any non-residential land use to allow any residential land use greater than ten (10) net dwelling units per acre or allow a mix of commercial and residential uses; (5) increase the allowed maximum height of development; (6) provide for the private development of land owned by a government entity within five years of the date of the approval to develop the land; or (7) repeal any "Planning Policy Document" as defined in Section 18.01.02 of the Yorba Linda Municipal Code; rather, Zoning Code Amendment 2024-01 is comprised of the establishment of land use overlay development standards that do not, in and of themselves, effect a particular parcel of land.

Section 8. The City Manager or his designee is hereby authorized and directed to incorporate into the Zoning Code the amendments thereto as set forth in Zoning Code Amendment 2024-01, upon the effective date of this Ordinance.

Section 9. 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 Yorba Linda hereby 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 thereof may be declared invalid or unconstitutional.

Section 10. This Ordinance is contingent upon a successful approval by the voters of the City of Yorba Linda of General Plan Amendment 2024-02 and Zoning Code Amendment 2024-02 and shall go into effect ten (10) days after such successful vote is declared by the legislative body.

Section 11. The City Clerk shall certify to the passage and adoption of this Ordinance, and shall cause the same to be published within fifteen (15) days after passage in accordance with law and as designated by resolution of the City Council, and shall cause this Ordinance and its certification, together with proof of publication, to be entered into the Book of Ordinances of the City of Yorba Linda.



**PASSED, APPROVED AND ADOPTED** at a regular meeting of the City Council of the City of Yorba Linda on this 16<sup>th</sup> day of July, 2024.

\_\_\_\_\_  
TARA CAMPBELL, MAYOR  
CITY OF YORBA LINDA

ATTEST:

\_\_\_\_\_  
MARCIA BROWN, CITY CLERK  
CITY OF YORBA LINDA

(SEAL)

STATE OF CALIFORNIA )  
COUNTY OF ORANGE )  
CITY OF YORBA LINDA )

**I, MARCIA BROWN**, City Clerk of the City of Yorba Linda, California, **DO HEREBY CERTIFY** that the foregoing Ordinance was adopted at an adjourned regular meeting of the City Council of the City of Yorba Linda held on the 16<sup>th</sup> day of July, 2024, and was carried by the following roll call vote:

AYES:            COUNCILMEMBERS:  
NOES:            COUNCILMEMBERS:  
ABSENT:        COUNCILMEMBERS:

\_\_\_\_\_  
MARCIA BROWN, CITY CLERK  
CITY OF YORBA LINDA

**EXHIBIT "A"**

**ZONING CODE AMENDMENT 2024-01  
(Comprised of Item #1 - Item #6)**

MODIFICATIONS TO THE TEXT OF THE CITY OF YORBA LINDA ZONING CODE  
(TITLE 18 OF THE YORBA LINDA MUNICIPAL CODE)

ITEM #1. The first line of the definition for "Affordable housing definitions" in Section 18.04.020 is amended to the following:

"Affordable housing definitions" mean the following terms and that are defined for the purposes of Chapter 18.17 (Overlay Zones) and Chapter 18.19 (Density Bonus, Waivers, and Incentives).

ITEM #2. Section 18.10.100 is amended to the following Subsection 18.10.100.E:

E. In any RM zone, PD zone allowing multi-family uses, or any overlay zone, the City of Yorba Linda Multi-Family Residential Design Guidelines shall be utilized as additional objective development standards for multi-family development in producing high-quality development.

ITEM #3. Chapter 18.17 of the Yorba Linda Municipal Code is amended to add the following:

**Chapter 18.17 Overlay Zones**

**Sections:**

**Article I: Affordable Housing Overlay (AHO) Zone**

**Article II: Congregational Lands Overlay (CLO) Zone**

**Article III: Mixed-Use Overlay (MUO) Zone**

**18.17.010 Established**

Because of their special or unique characteristics, the following overlay zones are established:

- A. AHO Affordable Housing Overlay Zone;
- B. CLO Congregational Lands Overlay Zone;
- C. MUO Mixed-Use Overlay Zone

**18.17.020 Purpose.**

The purposes of the housing overlay zones are to facilitate the construction of lower-priced and affordable housing on sites which are suitable, and to address the State-

mandated regional housing needs.

**18.17.030 Applicability.**

Each overlay district may be applied to a property or group of properties by ordinance of the City Council. The Zoning Map will identify the overlay zone district with the appropriate suffix, given in Section 18.17.010, after the underlying zone district. Applicants may submit an entitlement application under the standards of either the underlying zone or the overlay zone and shall clearly state on their application which standards are being used. Projects applying under the standards of the overlay zone shall comply with all overlay zone requirements; where no requirement is given, the standards of the underlying zone shall apply.

**18.17.040 Definitions.**

The terms in this chapter are defined in Chapter 18.04 (Definitions) under the term "Affordable Housing Definitions."

**18.17.050 Affordability Requirement.**

A. All housing projects processed under the standards of these overlay zones shall include deed-restricted affordable housing units. These housing units shall be subject to the standards given in Section 18.19.110 (A) and execute an affordable housing agreement with the City as described in Section 18.19.110 (B).

B. A minimum of twenty percent of rental housing units, exclusive of any density bonus units, shall be developed, offered to, and rented to very low- or low-income households at an affordable rental cost as defined in Chapter 18.04. The restriction shall apply for a minimum of 55 years.

C. A minimum of twenty percent of ownership housing units, exclusive of any density bonus units, shall be developed, offered to, and sold to low or moderate-income households at an affordable housing cost as defined in Chapter 18.04. The restriction shall apply for a minimum of 45 years.

**18.17.060 General Development Standards.**

A. Projects shall be subject to the development standards of the underlying zone, except as described in this Chapter.

B. Setbacks. For all housing overlay zones, the setback regulations of the underlying zone as given in Section 18.10.090 shall apply, except that:

1. The minimum setback shall be no greater than 20 feet. Section 18.10.100 (A)(1), which requires a 50-foot setback from single-family zones for buildings exceeding 15 feet in height, shall continue to apply; however, any portion of the building exceeding two stories shall maintain a minimum one hundred (100) feet from any single-family zone.
2. Uncovered parking spaces, common open space areas, and private patios and stoops shall be permitted within setback areas provided that a masonry wall six feet in height and screen landscaping at least 5 feet in width is erected and maintained between such uses and the property line. In addition, uncovered parking spaces within front and streetside setback areas, however, shall be located a minimum of 10 feet from the property line as required in Section 18.22.040 (C)(2)(f).

C. Landscaping. For all housing overlay zones, the following landscaping standards shall apply. These standards shall override Section 18.10.110 (C)(2) and 18.10.110

(C)(3), if applicable:

1. A minimum 50 percent of the building site area, exclusive of building footprints, shall be landscaped and provided with an adequate underground irrigation system.
2. A minimum of 25 percent of the building site area, exclusive of building footprints, shall accommodate private, active patio areas or active areas for common use of residents such as BBQs, playgrounds, hardscape features, and outdoor seating areas. The active areas for common use of residents shall comprise no less than one-fifth of this 25 percent of building site area.

D. Minimum Unit Size. For all housing overlay zones, the minimum unit size shall be:

1. Studio units: 400 square feet
2. 1-bedroom units: 600 square feet
3. 2-bedroom units: 700 square feet
4. 3-bedroom units: 900 square feet

## **Article I: Affordable Housing Overlay (AHO) Zone**

### **18.17.100 Purpose**

The purposes of the affordable housing overlay zone are to facilitate the construction of lower-cost, smaller-lot housing; to assist in providing affordable housing to all segments of the community; and to make available additional land for multifamily and condominium housing development.

### **18.17.110 Permitted Uses.**

Any project utilizing the Affordable Housing Overlay Zone shall comply with the use regulations of the underlying zone.

### **18.17.120 Density.**

The minimum dwelling unit density of any development utilizing the standards of the Affordable Housing Overlay Zone shall be 20 units per acre. The maximum dwelling unit density of any development utilizing the standards of the Affordable Housing Overlay Zone shall be 35 units per acre.

### **18.17.130 Height.**

The maximum height of any structure in the Affordable Housing Overlay zone shall be three stories and 40 feet.

### **18.17.140 Off-Street Parking.**

Off-street parking standards shall be governed by the minimum parking requirements of the underlying zone (Section 18.22.030 (B)) and all other requirements and incentives of this Title.

## **Article II: Congregational Lands Overlay (CLO) Zone**

### **18.17.200 Purpose**

The purpose of the Congregational Land Overlay zone is to encourage the construction of affordable housing in conjunction with religious institutions which provide important social and community services to the Yorba Linda community, to enable these institutions to further their mission to serve disadvantaged populations, and to improve

utilization of land resources which may go unused for large portions of the week, in keeping with State law AB 1851 (2020).

**18.17.210 Permitted Uses.**

Multiple family dwellings and condominiums shall be permitted in the Congregational Land Overlay zone in addition to any uses permitted in the underlying zone, provided that these uses occur in conjunction with a church/temple/religious institution use with a valid conditional use permit. To operate in conjunction with a church/temple/religious institution includes, but is not limited to, ground leases to housing development either for rental or ownership, reciprocal parking, access, or use agreements, or other situations, which clearly demonstrate an integral connection or relationship between the two uses. Church/temple/religious institutional uses must continue to operate in conjunction with the previously approved conditional use permit, except as described in Section 18.17.230.

**18.17.220 Site Area Definition and Density.**

A. With the entitlement application, the applicant shall define the portion of the site which is for residential use, including open spaces and parking which are reserved for exclusive residential use. This portion of the site shall be no larger than the land area of half of the congregation's existing parking area plus all existing undeveloped open space with a slope of less than 5%.

B. Within the portion of the site thus defined for residential use, the minimum dwelling unit density of any development utilizing the standards of the Congregational Land Overlay Zone shall be 20 units per acre. The maximum dwelling unit density of any development utilizing the standards of the Congregational Land Overlay Zone shall be 35 units per acre.

**18.17.230 Exemption from Amendments to Existing Conditional Use Permit.**

A. Housing development subject to the standards of this overlay zone may be approved without amendment to the original Conditional Use Permit, provided that the proposed development complies with all use and development regulations of this CLO zone. In addition, development of church/temple/religious institution and other non-residential structures may be approved without amendment to the original Conditional Use Permit provided that the development plan meets the following conditions:

1. The total square footage of non-residential space on the site does not exceed the amount authorized by the original Conditional Use Permit.
2. The total parking requirement for non-residential space on the site does not exceed the amount authorized by the original Conditional Use Permit.
3. The site contains no identified historic resource.
4. The original Conditional Use Permit's operational conditions remain in effect.

**18.17.240 Height.**

The maximum height of any structure in the Congregational Land Overlay zone shall be three stories and 40 feet, according to the methodology established in Section 18.26.030.

**18.17.250 Off-Street Parking.**

Pursuant to the maximum established in Government Code Section 65913.6, the development shall provide one uncovered or covered off-street parking space per dwelling unit for all qualifying affordable housing units, except for senior housing developments which shall provide a minimum of one-half uncovered or covered parking space per dwelling unit. Any market rate housing units shall provide parking in conformance with the RM-20 standards outlined in Chapter 18.22 of the Zoning Code. These spaces may be shared with the church/temple/religious institution or any previously permitted use on-site.

**18.17.260 Adaptive Reuse.**

The conversion of existing nonresidential structures into dwelling units shall be permitted, provided that they meet the stipulations of Section 18.17.220 and all building code requirements. Existing structures which are converted in this manner shall not trigger requirements to provide additional open space or setbacks, or to decrease the height of the structure.

**18.17.270 Transfer of Development Rights**

A property owner within the Congregational Land Overlay zone may solicit a transfer of development rights to an abutting residential property contained within the Housing Element's housing sites inventory with a lower maximum density than the Congregational Land Overlay zone. The transfer of development rights will reduce the number of permitted units on the Congregational Land Overlay zone property and increase the number of permitted units by the same amount on the abutting property, provided that the resultant permitted density on the abutting property is no higher than 10 percent greater than the maximum density permitted on the abutting property. The property owner transferring its development rights may not transfer more than 10 percent of the total number of units described in the Housing Element's housing site's inventory. All units transferred must be transferred in compliance with the affordability requirements contained in Section 18.17.050. The transfer of development rights shall be subject to conditional use permit approval as described in Section 18.36.200, and once approved, shall be recorded against both properties. This transfer of development rights is only permitted during the 6<sup>th</sup> housing cycle and will expire after June 30, 2029.

**Article III: Mixed-Use Overlay (MUO) Zone**

**18.17.300 Purpose**

The purposes of the mixed-use overlay zone are to increase the housing stock of the City which is affordable to households at different income levels, to spur revitalization and investment, to improve the utilization of land, and to decrease vehicular use by permitting the construction of housing on sites which contain community-serving retail and service uses.

**18.17.310 Permitted Uses and Configuration.**

Multiple family dwellings and condominiums shall be permitted in the Mixed-Use Overlay Zone, provided that these uses are located on the same site as retail uses containing at least 10,000 square feet of commercial space which meet the standards of the underlying zone. At least half of the building square footage within the MUO-zoned

property shall be residential. Residential uses may be located on top of commercial uses (vertical mixed-use) or in separate structures on the same lot (horizontal mixed-use).

**18.17.320 Site Area Definition and Density.**

The minimum dwelling unit density of any development utilizing the standards of the Mixed-Use Overlay Zone shall be 20 units per acre. The maximum dwelling unit density of any development utilizing the standards of the Mixed-Use Overlay Zone shall be 35 units per acre. The site area shall be defined as the entirety of the legally defined parcels containing the residential development.

**18.17.330 Height.**

**A.** The maximum height of any structure in the Mixed-Use Overlay zone shall be four stories and 50 feet. Any project which is four stories in height shall also comply with the following standards:

1. All fourth story elements shall be located at least 70 feet from any public street and at least 100 feet from any single-family residential zone.
2. Fourth story elements shall not have a linear dimension greater than 200 feet.

**18.17.340 Off-Street Parking.**

- A.** The number of residential parking spaces required shall conform to the standards of the R-M-30 zone, as expressed in Section 18.22.030 (B), and all other requirements and incentives of this Title.
- B.** The minimum number of off-street parking spaces to be provided for nonresidential uses may be reduced by up to 35 percent from the standards otherwise required by Section 18.22.030 (B) by the Planning Commission through Design Review. Any request to reduce nonresidential parking shall be supported with a parking study prepared by a qualified traffic engineer and subject to review and approval by the Community Development Director and City Engineer.
- C.** Residential and nonresidential parking areas shall be separate and have clear signage distinguishing the two parking areas. Nonresidential parking areas may be used for residential guest parking at the owner's discretion.

**18.17.350 Standards.**

**A.** Projects in the Mixed-Use Overlay Zone shall be subject to the following site planning and design standards. Any of these standards may be waived by the Planning Commission through Design Review:

1. Retail uses shall be visible from adjacent public streets and shall not be located behind solely residential buildings.
2. Ground-floor retail space for any new construction buildings shall be at least 18 feet floor-to-floor height, and retail spaces shall be at least 40 feet deep.
3. Vertical mixed-use buildings shall incorporate different entries for residential and commercial uses. The main entrance to a space which is open to the public shall be clearly identifiable by providing a change in plane (e.g. recessed entry), differentiation in material and color, and/or enhanced lighting. Clear identification signage shall also be used to differentiate the primary entry into the space.

4. Gates may be used to control vehicular and pedestrian access to the residential portion of a horizontal mixed-use site.

ITEM #4. Section 18.19.110.A is amended in its entirety to the following:

A. Terms of Affordability. Affordable housing units developed under this chapter shall remain available to persons and families of very low, low, and moderate income, at an affordable housing cost or affordable rental cost, as those income and affordability levels are defined in Chapter 18.04, for a minimum of 55 years for rental housing and 45 years for ownership housing. The period of affordability required hereunder shall run concurrently with any period of affordability required by any other agency; provided, however, that the affordability period shall not be less than as set forth in this section. The project developer shall be required to enter into an affordable housing agreement with the City to ensure affordability is maintained for the required period.

ITEM #5. Article II of Chapter 18.36 of the Yorba Linda Municipal Code is amended to add the following:

**18.36.140 Courtesy Noticing**

A. For any property located within the Housing Element's housing sites inventory, a courtesy notice shall be mailed or delivered to all owners of real property as shown on the latest equalized assessment roll within 300 feet of the real property that is the subject of the design review.

B. The project applicant shall provide all information and documentation necessary to satisfy the notice requirements of this section. The project applicant shall pay all costs associated with the notice requirements of this section.

ITEM #6. Section 18.14.050.B of Chapter 18.14 of the Yorba Linda Municipal Code is revised as follows:

**18.14.050 Special requirements.**

A. When any M zone abuts or is situated across a street from a property in any residential zone, a minimum building setback of one hundred (100) feet shall be required from such residential zone. The twenty-five (25) feet of said setback nearest the street or zone boundary line shall be landscaped and the remainder may be used for off-street parking purposes as provided in Chapter 18.22. A three-foot tall wall or berm shall be constructed in back of the landscaped area along street setbacks. Along all other lot lines adjacent to residential zones, a six-foot tall wall shall be constructed.

B. Emergency Shelters. When establishing an emergency shelter, the following standards shall apply:

1. The maximum number of beds/persons permitted to be served nightly shall be based on the individual capacity of the building and overall facility and shall not be

- less than fifty (50) square feet per person served;
2. On-site client waiting and intake areas shall be located internally to the building where feasible. If not feasible, an exterior waiting area shall be provided which contains a minimum of 10 square feet per bed provided at the facility. Said waiting area shall be in a location not adjacent to the public right-of-way and shall be visibly separated from public view by a minimum 6-foot tall visual screening mature landscaping or a minimum 6-foot tall decorative masonry wall;
  3. Stays at the facility shall be on a first-come, first-served basis and facility clients must vacate the facility each morning and have no guaranteed bed for the next night;
  4. Maximum stay at the facility shall not exceed 180 days in a 365-day period for clients with Yorba Linda residency and shall not exceed 90 days in a 365-day period for all others;
  5. A minimum of one employee per 15 beds shall be on duty when the facility is open and shall be maintained during operational hours;
  6. Clients shall only be on-site and admitted to the facility between 6:00 p.m. and 8:00 a.m. during Pacific Daylight Time and 5:00 p.m. and 8:00 a.m. during Pacific Standard Time;
  7. A minimum of 1 parking stall for each employee, staff, or volunteer shall be maintained. The number of parking spaces may be reduced by 25% if the shelter is located within 1,000 feet of a public transit stop. Bicycle rack parking shall also be provided at the facility;
  8. Facility improvements shall provide:
    - i) A minimum of 1 toilet for every 10 beds per gender.
    - ii) A minimum of 1 shower for every 8 beds per gender.
    - iii) Private shower and toilet facility for each area designated for use by individual families.
  9. Adequate exterior lighting shall be provided for safety and security purposes;
  10. Client possession and/or use of the following are prohibited anywhere on the premises of an emergency shelter: alcohol, tobacco and illegal narcotics.
  11. An Operations Plan shall be provided for the review and approval of the Community Development Director, and shall remain active throughout the life of the facility. At a minimum, the Operations Plan shall address the following:
    - i) Security and safety – addressing both on and off-site needs.
    - ii) Loitering control – including specific measures regarding off-site controls to minimize congregation of clients in the vicinity of the facility during hours that clients are not allowed on-site.
    - iii) Management of outdoor areas – including a system for daily admittance and discharge procedures and monitoring of waiting areas.
    - iv) Staff training – including knowledge and skills to assist clients in obtaining permanent shelter and income.
    - v) Communications and outreach – with objectives to maintain good communication and response to operational issues which may arise from the public or City staff.
    - vi) Counseling programs -- to be provided with referrals to outside assistance agencies.
    - vii) Litter control – to provide for the timely removal of litter attributable to clients within the vicinity of the facility.
  12. The facility may provide the following services and facilities in a designated

area separate from the sleeping areas:

- i) A recreation area either inside or outside the shelter.
- ii) A counseling center for job placement, educational, health care, legal, or mental health services.
- iii) Laundry facilities to serve the number of clients at the shelter.
- iv) Kitchen for the preparation of meals.
- v) Dining hall.
- vi) Client storage areas (i.e., for the overnight storage of bicycles and personal items).
- vii) Or similar services supporting the needs of homeless clients.

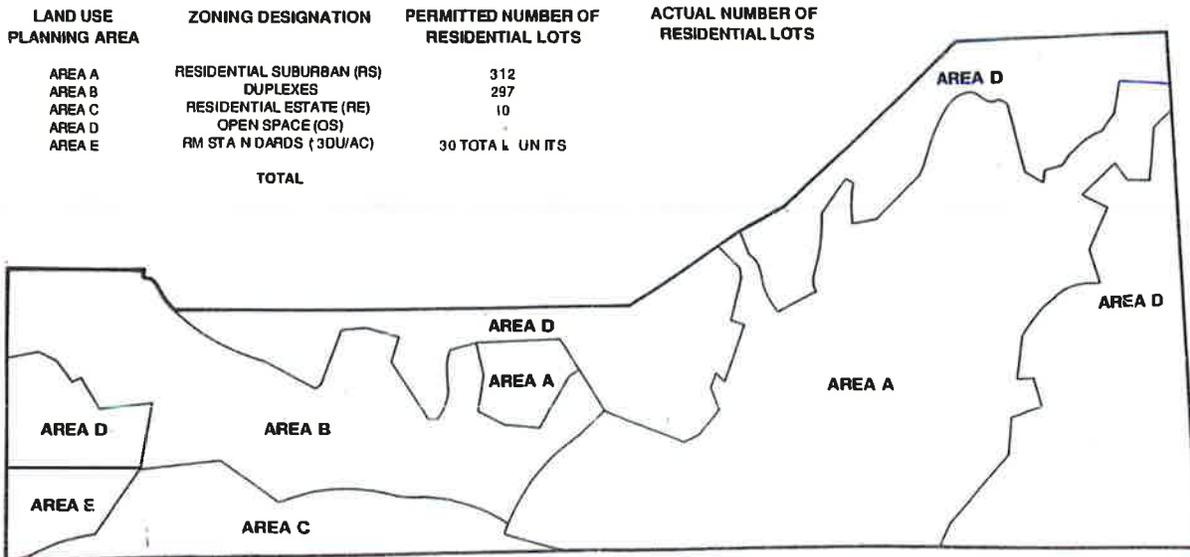
ITEM #7. Table 18.10-1 (Residential Land Use Matrix) of Chapter 18.10 of the Yorba Linda Municipal Code is revised to add the following land use:

**TABLE 18.10-1  
 RESIDENTIAL LAND USE MATRIX**

Use	R-A	RLD	R-E	R-S	R-U	R-M	R-M-20	R-M-30	Comments
Small employee housing (6 or fewer)	P	P	P	P	P	•	•	•	See Health and Safety Code Section 17008

ITEM #8. The Yorba Linda Hills Planned Development (PD) text for District II is amended as follows; however, this Zone Change shall not become effective until General Plan Amendment 2024-02 is approved by a majority vote of the electorate of the City.

YORBA LINDA HILLS  
 PLANNED RESIDENTIAL DEVELOPMENT



SCALE: 1"=600'  
 DATE: 2-13-91  
 W.O.: 819-1



**ORDINANCE NO. 2024-1111**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YORBA LINDA AMENDING THE CITY OF YORBA LINDA ZONING CODE AND ZONING MAP (ZONING CODE AMENDMENT 2024-02) PURSUANT TO THE IMPLEMENTATION PROGRAMS OF THE CITY OF YORBA LINDA 2021-2029 HOUSING ELEMENT, WITH THE ADOPTION OF EACH INDIVIDUAL ITEM IDENTIFIED IN ZONING CODE AMENDMENT 2024-02 CONTINGENT UPON APPROVAL BY A MAJORITY VOTE OF THE ELECTORATE OF THE CITY OF YORBA LINDA IN COMPLIANCE WITH THE YORBA LINDA RIGHT-TO-VOTE AMENDMENT**

**WHEREAS**, under California law, every city must adopt a general plan, which must include specified mandatory elements, in furtherance of the State policy to provide a comprehensive, long-term plan for the physical development and use of property within a city's jurisdiction; and

**WHEREAS**, under California law, every city has the authority to adopt and amend a zoning code pursuant to a city's general police power, which allows for the orderly division of property within a city's jurisdiction into compatible uses and development standards so as to improve and protect the general welfare; and

**WHEREAS**, under California law, all of the elements within a city's general plan must be internally consistent, and all zoning must be in conformity with a city's general plan; and

**WHEREAS**, on October 28, 2016, the City of Yorba Linda (City) adopted its current General Plan (General Plan); and

**WHEREAS**, the City may amend all or part of its adopted General Plan to promote the public interest up to four times during any calendar year pursuant to Government Code Section 65358; and

**WHEREAS**, under California law, Government Code Section 65580 *et seq.* (Housing Element Law), every city in the State is required to periodically review and update the housing element of a general plan for the city, every city is mandated to include State-specified content in a housing element, and every city is required to submit a draft of its housing element to the California Department of Housing and Community Development (HCD) for review and determination as to whether the city's draft housing element substantially complies with the Housing Element Law; and

**WHEREAS**, between October 2020 and August 2022, City staff conducted numerous study sessions and community workshops with stakeholders, consultants, and members of the public to comment and provide direction on the content of the City's draft housing element, and conducted numerous public hearings related to the adoption of several General Plan Amendments and Zoning Code Amendments to implement the 2021-2029 Housing Element that was conditionally certified by HCD on April 8, 2022; and

**WHEREAS**, when adopting these General Plan Amendments and Zoning Code

Amendments, it was determined that they were contingent upon a successful approval by the voters of the City of Yorba Linda of General Plan Amendment 2022-02 and Zoning Code Amendment 2022-02, which was presented to the electorate of the City as Measure Z as part of the November 2022 General Election; and

**WHEREAS**, the Orange County Registrar of Voters determined that Measure Z failed to receive the approval of a majority of the electorate of the City, and therefore, General Plan Amendments 2022-01 and 2022-02 and Zoning Code Amendments 2022-01 and 2022-02 did not become effective; and

**WHEREAS**, in order to retain its conditional certification of its Housing Element from the HCD, the City is required to present a rezoning plan to the general electorate of the City by the General Election in November 2024, the City has revised its Housing Element and its associated implementation programs; and

**WHEREAS**, since November 2022, the City has prepared a revised draft Housing Element update through a robust public outreach effort of seven public workshops, which attracted nearly 400 residents from a diversity of backgrounds, ethnicities, age groups, political affiliations, geography within the city, housing tenure, and varying perspectives on housing; and

**WHEREAS**, this revised draft Housing Element was submitted to HCD for consideration and it was determined on February 23, 2024 that the City's draft Housing Element was found to be in substantial conformance with State housing laws; and

**WHEREAS**, the City of Yorba Linda 2021-2029 Housing Element identifies for the applicable 2021-2029 planning period the housing needs in the community and programs to achieve the housing goals, policies and objectives of the City, which substantially comply with State-mandated content under the State Housing Element law pursuant to the certification issued by HCD on April 8, 2022; and

**WHEREAS**, the adopted Housing Element includes implementation programs that, if and when adopted by the City Council by separate and subsequent approvals from the approval of the Housing Element, would commence implementing actions (i) to amend the Land Use Element and Land Use Map of the City's General Plan; and, (ii) to amend specified sections of the City of Yorba Linda Zoning Code, Title 18 of the Yorba Linda Municipal Code (Zoning Code) and Zoning Map; and

**WHEREAS**, the implementation programs included in the adopted Housing Element are intended to be carried out separately from the adoption by the City Council of the Housing Element to facilitate the compliance, if and as applicable, with the requirements of the Yorba Linda Right-to-Vote Amendment, Yorba Linda Municipal Code Section 18.01.010 *et seq.* (commonly known as "Measure B"), and are intended to preserve HCD's certification of the adopted Housing Element for the entirety of the 2021-2029 planning period; and

**WHEREAS**, the City Council has determined that the proposed amendments to specified provisions in the City of Yorba Linda Zoning Code (Title 18 of the Yorba Linda Municipal Code) and the Zoning Map, as identified in Exhibit "A" attached to this

Ordinance and incorporated herein by this reference (“Zoning Code Amendment 2024-02”), each constitute a “Major Amendment” as defined in the Yorba Linda Right-to-Vote Amendment (Measure B) and are therefore individually and/or collectively subject to the approval of a majority vote of the electorate of the City to become effective; and

**WHEREAS**, Zoning Code Amendment 2024-02 would amend Table 18.10-2 (Residential Development Standards) to modify the maximum building height in the RM-20 zoning designation to “40 feet or 3 stories, whichever is less”; and

**WHEREAS**, Zoning Code Amendment 2024-02 would amend the text of the West Bastanchury Planned Development (PD) for District II to create Area A, which would adhere to the existing District II development standards, for the following sites: APN #323-181-03, #323-191-10 through 44, #323-191-06, -07, -46, and #323-201-08 through 39; and to create Area B, which would adhere to the RM (Residential Multi-family) zone development standards for the following sites: APN# 323-181-04, -05, 06, -07, and Area B would be limited to no more than 98 total units as described in Exhibit A; and

**WHEREAS**, Zoning Code Amendment 2024-02 would amend the text of the Savi Ranch Planned Development (PD) to allow multi-family residential uses consistent with the Housing Element for the following sites: APN #352-231-01, -02, -03, -04, -05, -06, -07, -08, -09, -012, and 352-116-14 as described in Exhibit A; and

**WHEREAS**, Zone Change 2024-02, which consists of proposed amendments to the Zoning Map, as identified in Exhibit A, is considered to be a part of Zoning Code Amendment 2024-02; and

**WHEREAS**, Zone Change 2024-02 would amend the Zoning Map by changing the zoning designations for the following sites to “Residential Multiple Family” (R-M) to allow a maximum residential density of ten (10) dwelling units per acre: APN #343-591-05, -06, -07, -25 (Site S3-207), APN #323-051-26, -27 (Site S3-211); and

**WHEREAS**, Zone Change 2024-02 would amend the Zoning Map by changing the zoning designations for the following sites to “Residential Multiple Family 20” (RM-20) to allow a maximum residential density of twenty (20) dwelling units per acre and a maximum building height of forty (40) feet or three stories, whichever is less: APN #322-061-01, -08, -10, -12, -13, -14, -15, -16, -17, -18, -18, -19, -20, -21 (Site S1-200), APN #334-101-39, -40 (Site S3-082), APN #323-311-03 (Site S4-075), APN #334-101-39, -40 (Site S3-082), APN #323-231-18, -19 (Site S4-200), APN #323-081-35, -36 (Site S4-204B); and

**WHEREAS**, Zone Change 2024-02 would amend the Zoning Map by adding the “Affordable Housing Overlay” zoning designation to the following sites to allow a maximum residential density of thirty-five (35) dwelling units per acre and a maximum building height of forty (40) feet or three (3) stories, whichever is less: APN #322-061-01, -08, -10, -12, -13, -14, -15, -16, -17, -18, -18, -19, -20, -21 (Site S1-200), APN #323-311-03 (Site S4-075); and

**WHEREAS**, Zone Change 2024-02 would amend the Zoning Map by adding the “Congregational Lands Overlay” zoning designation to the following sites to allow a maximum residential density of thirty-five (35) dwelling units per acre and a maximum

building height of forty (40) feet or three (3) stories, whichever is less: APN #322-173-04, -07 (Site S2-008), APN # 343-591-01, -02, -03 (Site S3-012), APN #334-292-18 (Site S2-013), APN #343-581-09, 343-582-12, APN #323-171-07, -08, -09 (Site S3-210),; and

**WHEREAS**, Zone Change 2024-02 would amend the Zoning Map by adding the “Mixed Use Overlay” zoning designation to the following site to allow a maximum residential density of thirty-five (35) dwelling units per acre and a maximum building height of fifty (50) feet or four (4) stories, whichever is less: APN #322-121-07, -08 (Site S1-021); and

**WHEREAS**, the City Council has determined that Zoning Code Amendment 2024-02 constitutes a “Major Amendment” as defined in the Yorba Linda Right-to-Vote Amendment (Measure B) and is therefore to the approval of a majority vote of the electorate of the City to become effective; and

**WHEREAS**, Zoning Code Amendment 2024-02 includes provisions that are part of the implementation programs and implementing actions of the adopted Housing Element, and is necessary to ensure that the City’s Zoning Code is consistent with the City’s General Plan, as required by State law; and

**WHEREAS**, the Zoning Code and the Zoning Map are “Planning Policy Documents” under the Yorba Linda Right-to-Vote Amendment, Yorba Linda Municipal Code Section 18.01.020 (Measure B), which has additional public notice and public hearing requirements that require the Planning Commission to hold a public hearing pursuant to Section 18.01.040 that otherwise may not be required under state law; and

**WHEREAS**, notices of a public hearing were published, posted, and delivered in accordance with State and City laws for the consideration by the Planning Commission of the proposed amendments to the Zoning Code (referred to herein as Zoning Code Amendment 2022-01) as part of the consideration of the adopted Housing Element and implementation programs included therein; and

**WHEREAS**, Zoning Code Amendment 2024-02, as identified in Exhibit “A” attached to this Ordinance, includes all of the amendments to the Zoning Code that constitute “Major Amendments” as defined in the Yorba Linda Right-to-Vote Amendment (Measure B) and are therefore individually and/or collectively subject to the approval of a majority vote of the electorate of the City to become effective. Zoning Code Amendment 2024-02 includes all of the amendments to the Zoning Code and Zoning Map that constitute a “Major Amendment” as defined in the Yorba Linda Right-to-Vote Amendment (Measure B) and are therefore subject to the approval of a majority vote of the electorate of the City to become effective; and

**WHEREAS**, in accordance with State and City laws, on May 15, 2024, the Planning Commission conducted a public hearing to receive public testimony with respect to Zoning Code Amendment 2024-02 as part of the consideration of the adopted Housing Element implementation programs included therein; and

**WHEREAS**, the Planning Commission considered the information provided by City staff, the public testimony, and the evidence presented at the Planning Commission public

hearing on May 15, 2024, which includes, without limitation, the staff reports submitted by the Community Development Department; and

**WHEREAS**, on May 15, 2024, the Planning Commission, at a regular public meeting, considered and decided to recommend to the City Council the approval of Zoning Code Amendment 2024-02, subject to compliance, as applicable, with the requirements of Yorba Linda Right-to-Vote Amendment (Measure B), in furtherance of the implementation programs included in the Housing Element; and

**WHEREAS**, notices of a public hearing were published, posted, and delivered in accordance with State and City laws for the consideration by the City Council of Zoning Code Amendment 2024-02 as part of the consideration of the adopted Housing Element implementation programs included therein; and

**WHEREAS**, in accordance with State and City laws, on June 18, 2024, the City Council conducted a public hearing to receive public testimony with respect to Zoning Code Amendment 2024-02 as part of the consideration of the Housing Element and implementation programs included therein; and

**WHEREAS**, the City Council considered the information provided by City staff, the public testimony, and the evidence presented at the public hearing on June 18, 2024, which includes, without limitation, the staff reports submitted by the Community Development Department.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF YORBA LINDA DOES HEREBY ORDAIN AS FOLLOWS:**

Section 1. On August 2, 2022, the City Council certified a Program Environmental Impact Report (PEIR) for the 2021-2029 Housing Element through Resolution No. 2022-5817. ~~Pursuant to Government Code Section 15164, the City has prepared an addendum to the previously certified PEIR by determining that the proposed changes do not meet the conditions in Government Code Section 15162 calling for the preparation of a subsequent EIR. Pursuant to 14 California Code of Regulations, § 15164, an Addendum to the Program Environmental Impact Report for the City of Yorba Linda 2021-2029 Housing Element Implementation Programs (State Clearinghouse # 2022040574) has been prepared.~~

The City, serving as the CEQA Lead Agency for the Revised Project (see CEQA Guidelines Sections 15050-15051), determined in its independent judgment that the Revised Project does not meet any of the circumstances from CEQA Guidelines Section 15162 and that an Addendum to the 2022 Certified PEIR is the appropriate CEQA compliance document for the Revised Project. The City's finding is based on the following facts:

- a. As demonstrated in Section 4.0 of the Addendum, the Revised Project would not require major revisions to the previously-certified 2022 Certified PEIR because implementation of the Revised Project would neither result in any significant impacts to the physical environment that were not already disclosed in the 2022 Certified PEIR nor result in substantial increases in the severity of the environmental impacts previously disclosed in the 2022 Certified PEIR.

- b. Subsequent to the certification of the 2022 Certified PEIR, no substantial changes in the circumstances under which the Revised Project would be undertaken have occurred that would require major revisions to the 2022 Certified PEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
- c. There is no evidence in the public record that new information of substantial importance has become available that is applicable to the Revised Project and/or the City (Project site), that was not known and could not have been known with the exercise of reasonable diligence at the time the 2022 Certified PEIR was certified and would alter the conclusions of the 2022 Certified PEIR.

Section 2. The City Council has read and considered the amendments to the Zoning Code (referred to herein as “Zoning Code Amendment 2024-02”) as part of the consideration of the adopted Housing Element implementation programs included therein.

Section 3. Pursuant to Section 18.36.675 of the Yorba Linda Zoning Code, the City Council finds that Zoning Code Amendment 2024-02 is necessary to ensure that the Zoning Code is consistent within the City’s General Plan policies, goals and objectives and is consistent with the objectives of the Zoning Code.

Section 4. The City Council finds that Zoning Code Amendment 2024-02 is necessary apply the development standards contained in Zoning Code Amendment 2022-01 and Zoning Code Amendment 2024-02 to specific sites identified in Zoning Code Amendment 2024-02, would permit and encourage the development of affordable housing opportunities pursuant to the Regional Housing Needs Assessment (RHNA) requirements, as set forth in the Housing Element Law and applicable State Guidelines, in locations adjacent to supporting services and public transportation provided they are compatible with, and will not adversely impact, the integrity and continuity of adjacent uses.

Section 5. The City Council hereby accepts the recommendation of the Planning Commission as modified herein to adopt Zoning Code Amendment 2024-02, which includes Zone Change 2024-02, as part of the consideration of the adopted Housing Element implementation programs included therein.

Section 6. The City Council hereby adopts Zoning Code Amendment 2024-02, which includes Zone Change 2024-02, subject to each item identified therein to become effective only upon the approval by a majority vote of the electorate of the City of Yorba Linda voting “YES” on a ballot measure for the adoption of that item of Zoning Code Amendment 2024-02 at a duly noticed and held regular or special election of the electorate of the City of Yorba Linda.

Section 7. Pursuant to Elections Code section 9222, the City Council by subsequent ordinance or resolution shall identify the date of the election during which items identified in Zoning Code Amendment 2024-02, including Zone Change 2024-02,

will be submitted for consideration by the electorate of the City of Yorba Linda, which election date shall be held not less than eighty-eight (88) days after the date of the subsequent ordinance or resolution ordering the election. Upon the ordering of the election by the City Council, the City Clerk shall be authorized and directed to take any and all necessary and proper actions to submit any identified items in Zoning Code Amendment 2024-02 to a vote of the electorate of the City of Yorba Linda in accordance with applicable State, County, and City laws, including the Yorba Linda Right-to-Vote Amendment (Measure B). The City Council hereby reserves the authority to submit the items identified in Zoning Code Amendment 2024-02, including Zone Change 2024-02, to a vote of the electorate of the City of Yorba Linda in separate elections. None of the items identified in Zoning Code Amendment 2024-02, including Zone Change 2024-02, shall take effect until approved by a majority vote of the electorate of the City of Yorba Linda.

Section 8. 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 Yorba Linda hereby 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 thereof may be declared invalid or unconstitutional.

Section 9. This Ordinance is contingent upon a successful approval by the voters of the City of Yorba Linda and shall go into effect ten (10) days after such successful vote is declared by the legislative body.

Section 10. The City Clerk shall certify to the passage and adoption of this Ordinance, and shall cause the same to be published within fifteen (15) days after passage in accordance with law and as designated by resolution of the City Council, and shall cause this Ordinance and its certification, together with proof of publication, to be entered into the Book of Ordinances of the City of Yorba Linda.

**PASSED, APPROVED AND ADOPTED** at a regular meeting of the City Council of the City of Yorba Linda on this 16<sup>th</sup> day of July, 2024.

\_\_\_\_\_  
TARA CAMPBELL, MAYOR  
CITY OF YORBA LINDA

ATTEST:

\_\_\_\_\_  
MARCIA BROWN, CITY CLERK  
CITY OF YORBA LINDA

(SEAL)

STATE OF CALIFORNIA )  
COUNTY OF ORANGE )  
CITY OF YORBA LINDA )

I, **MARCIA BROWN**, City Clerk of the City of Yorba Linda, California, **DO HEREBY CERTIFY** that the foregoing Ordinance was adopted at a regular meeting of the City Council of the City of Yorba Linda held on the 16<sup>th</sup> day of July, 2024, and was carried by the following roll call vote:

AYES:           COUNCILMEMBERS:  
NOES:           COUNCILMEMBERS:  
ABSENT:        COUNCILMEMBERS:

\_\_\_\_\_  
MARCIA BROWN, CITY CLERK  
CITY OF YORBA LINDA

**EXHIBIT "A"**

**Zoning Code Amendment 2024-02  
(Comprised of Item #1 – Item #18)**

**MODIFICATIONS TO THE CITY OF YORBA LINDA ZONING CODE  
(TITLE 18 OF THE YORBA LINDA MUNICIPAL CODE) AND ZONING MAP**

ITEM #1. Table 18.10-2 (Residential Development Standards) of the Yorba Linda Zoning Code is amended as follows:

**TABLE 18.10-2  
RESIDENTIAL DEVELOPMENT STANDARDS<sup>7</sup>**

Standard	Zones							
	R-A	RLD	R-E	R-S	R-U	R-M	R-M-20	R-M-30
Maximum density (units per acre)	1.0	1.0	1.8	3.0	4.0	10.0	20.0	30.0
Minimum lot size <sup>1</sup>	1 acre	39,000 sq. ft.	15,000 sq. ft.	10,000 sq. ft.	7,500 sq. ft.	15,000 sq ft	1 acre	1 acre
Minimum lot width	130 ft.	110 ft.	100 ft.	80 ft.	75 ft.	100 ft.(corner) 125 ft.(interior)	135 ft. (corner) 165 ft. (interior)	135 ft. (corner) 165 ft. (interior)
Minimum lot depth	150 ft.	170 ft.	150 ft.	100 ft.	100 ft.	100 ft.(corner) 125 ft.(interior)	135 ft. (corner) 165 ft. (interior)	135 ft. (corner) 165 ft. (interior)
Maximum lot coverage	35%	35%	35%	35%	40%	45%	65%	70%
Maximum building height	35 feet, or 2 stories, whichever is less <sup>2</sup>					40 feet or 3 stories, whichever is less		50 feet or 4 stories, whichever is less
Minimum front yard setback	40 ft.	35 ft.	30 ft.	25 ft.	20 ft.	20 ft.	20 ft.	20 ft.
Minimum side yard setback (interior)	-- <sup>3</sup>	-- <sup>3</sup>	-- <sup>3</sup>	10 ft.	-- <sup>4</sup>	-- <sup>4</sup>	-- <sup>4</sup>	-- <sup>4</sup>
Minimum side yard setback (street)	-- <sup>3</sup>	-- <sup>3</sup>	-- <sup>3</sup>	10 ft.	10 ft.	10 ft. <sup>5</sup>	10 ft. <sup>5</sup>	10 ft. <sup>5</sup>
Minimum rear yard setback	45 ft.	40 ft.	25 ft.	25 ft.	25 ft.	20 ft.	20 ft.	20 ft.
Minimum building separation <sup>6</sup>	10 ft.	10 ft.	10 ft.	10 ft.	10 ft.	10 ft.	20 ft.	20 ft.
Minimum dwelling size	1,500 sq. ft.	1,500 sq. ft.	1,500 sq. ft.	1,500 sq. ft.	1,300 sq. ft.	Studio = 750 sq. ft., 1 BR = 900 sq ft., 2 BR = 1,000 sq. ft., 3 BR = 1,200 sq. ft.	Studio = 550 sq. ft., 1 BR = 675 sq ft., 2 BR = 700 sq. ft., 3 BR = 900 sq. ft.	Studio = 550 sq. ft., 1 BR = 675 sq ft., 2 BR = 700 sq. ft., 3 BR = 900 sq. ft.

Minimum parking per dwelling unit	2 covered + 1 covered or uncovered	Studio – 2 bdrm = 2 covered plus 1 covered or uncovered 3+ bdrm = 2 covered plus 1.5 covered or uncovered	Studio = 1 covered; 1 bdrm = 1 covered + 0.8 uncovered; 2 bdrm = 1 covered + 1 uncovered; 3+ bdrm = 1 covered + 1 uncovered Guest: Studio = 0.75 per unit; 1 bdrm = 0.5 per unit; 2 bdrms = 0.5 per unit; 3 or more bdrms = 1.5 per unit	Studio = 1 covered; 1bd = 1 covered + 0.8 uncovered; 2bd = 1 covered + 1 uncovered, 3+ bdrm = 1 covered + 1 uncovered, Guest: Studio = 0.75 per unit; 1 bdrm = 0.5 per unit; 2 bdrms = 0.5 per unit; 3 or more bdrms = 1.5 per unit					
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- 1 Any legally established lot that is at least 4,000 sq. ft. and has a minimum twenty foot (20') wide vehicular access to a street may be used as a building site.
- 2 Steeples, crosses and other religious symbols on churches and religious institutions may exceed the height limit in accordance with Section 18.24.110. See also Section 18.10.110.H and Section 18.26.030 of the Zoning Code for additional design standards related to height determinations for structures.
- 3 Side yard setbacks in R-A, RLD and R-E zones shall be ten percent (10%) of the lot width, but not less than ten (10) feet, and need be no more than twenty (20) feet.
- 4 Interior side yard setbacks in R-U and R-M, R-M-20, and R-M-30 zones shall have a cumulative total of both side yards of twenty (20) feet; however, in no case shall a side yard be less than five (5) feet.
- 5 Front yard setback requirements shall be applied to all property frontages facing public streets for the R-M, R-M-20, and R-M-30 zones.
- 6 The required 10-foot building separation standard shall not apply to small accessory structures as defined in Section 18.10.120.B. However, if the combined area of multiple small accessory structures located within three (3) feet of each other exceeds a combined one hundred twenty (120) square feet, each structure shall be considered a large accessory structure.
- 7 Residential properties having a slope gradient of 15 percent (15%) or greater shall comply with the regulations contained in Chapter 18.30 of this title.

ITEM #2. The Yorba Linda Zoning Map is amended as follows:

The zoning for the proposed rezoning site located at the southeast corner of Rose Drive/Blake Rd – APN #322-061-01, -08, -10, -12 -13, -14, -15, -16, -17, -18, -18, -19, -20, -21 (Site S1-200) will change from “Residential Estate” (RE) to “Residential Multiple-Family 20” (RM-20) to allow a maximum residential density of twenty (20) dwelling units per acre and a maximum building height of forty (40) feet or three (3) stories, whichever is less. The site will also be subject to the “Affordable Housing Overlay” (AFO) which will allow a maximum residential density of thirty-five (35) dwelling units per acre and a maximum building height of forty (40) feet or three (3) stories, whichever is less.

ITEM #3. The Yorba Linda Zoning Map is amended as follows:

The zoning for the proposed rezoning site located at 4791 and 4811 Eureka Avenue – APN #334-101-39, -40 (Site S3-082) will change from “Commercial – General” (CG) to “Residential Multiple-Family 20” (RM-20) to allow a maximum residential density of twenty (20) dwelling units per acre and a maximum building height of forty (40) feet or three (3) stories, whichever is less. The site will also be subject to the “Affordable Housing Overlay” (AFO) which will allow a maximum residential density of thirty-five (35) dwelling units per acre and a maximum building height of forty (40) feet or three (3) stories, whichever is less.

ITEM #4. The Yorba Linda Zoning Map is amended as follows:

The zoning for the proposed rezoning site located at 5300-5393 Richfield Road – APN #343-591-05, -06, -07, -25 (Site S3-207) will change from “Residential Urban” (RU) to “Residential Multi-family” (RM) to allow a maximum residential density of ten (10) dwelling units per acre and a maximum building height of thirty-five (35) feet or two (2) stories, whichever is less.

ITEM #5. The Yorba Linda Zoning Map is amended as follows:

The zoning for the proposed rezoning site located at 4742 Plumosa – APN #323-311-03 (Site S4-075) will change from “Commercial – General” (CG) to “Residential Multiple-Family 20” (RM-20) to allow a maximum residential density of twenty (20) dwelling units per acre and a maximum building height of forty (40) feet or three (3) stories, whichever is less. The site will also be subject to the “Affordable Housing Overlay” (AFO) which will allow a maximum residential density of thirty-five (35) dwelling units per acre and a maximum building height of forty (40) feet or three (3) stories, whichever is less.

ITEM #6. The Yorba Linda Zoning Map is amended as follows:

The zoning for the proposed rezoning site located at 5005 and 5079 Mountain View Ave – APN #343-582-12, 343-281-07 (Site S3-024) will remain as “Residential Estate” (RE) and will also be subject to the “Congregational Lands Overlay” (CLO) which will allow a

maximum residential density of thirty-five (35) dwelling units per acre and a maximum building height of forty (40) feet or three (3) stories, whichever is less.

ITEM #7. The Yorba Linda Zoning Map is amended as follows:

The zoning for the proposed rezoning site located at 17151 Bastanchury Rd – APN #322-173-04, -07 (Site S2-008) will remain as “Residential Estate” (RE) and will also be subject to the “Congregational Lands Overlay” (CLO) which will allow a maximum residential density of thirty-five (35) dwelling units per acre and a maximum building height of forty (40) feet or three (3) stories, whichever is less.

ITEM #8. The Yorba Linda Zoning Map is amended as follows:

The zoning for the proposed rezoning site located at 5320 Richfield Rd – APN #343-591-01, -02, -03 (Site S3-012) will remain as “Residential Urban” (RU) and will also be subject to the “Congregational Lands Overlay” (CLO) which will allow a maximum residential density of thirty-five (35) dwelling units per acre and a maximum building height of forty (40) feet or three (3) stories, whichever is less.

ITEM #9. The Yorba Linda Zoning Map is amended as follows:

The zoning for the proposed rezoning site located at 4861 Liverpool St – APN #334-292-18 (Site S2-013) will remain as “Residential Urban” (RU) and will also be subject to the “Congregational Lands Overlay” (CLO) which will allow a maximum residential density of thirty-five (35) dwelling units per acre and a maximum building height of forty (40) feet or three (3) stories, whichever is less.

ITEM #10. The Yorba Linda Zoning Map is amended as follows:

The zoning for the proposed rezoning site located at 18021-18111 Bastanchury Rd – APN #323-171-07, -08, -09 (Site S3-210) will remain as “West Bastanchury Planned Development” (PD) and will also be subject to the “Congregational Lands Overlay” (CLO) which will allow a maximum residential density of thirty-five (35) dwelling units per acre and a maximum building height of forty (40) feet or three (3) stories, whichever is less.

ITEM #11. The Yorba Linda Zoning Map is amended as follows:

The zoning for the proposed rezoning site located at 16951 Imperial Highway – APN #322-121-07, -08 (Site S1-021) will remain as “Commercial General” (CG) in the “Imperial Highway Combining Zone” (I) and will also be subject to the “Mixed-Use Overlay” (MUO)

which will allow a maximum residential density of thirty-five (35) dwelling units per acre and a maximum building height of fifty (50) feet or four (4) stories, whichever is less.

ITEM #12. The Yorba Linda Zoning Map is amended as follows:

The zoning for the proposed rezoning site located at 18597-18602 Altrudy Ln – APN #323-231-18, -19 (Site S4-200) will change from “Residential Suburban” (RS) to “Residential Multi-family 20” (RM-20) to allow a maximum residential density of twenty (20) dwelling units per acre and a maximum building height of forty (40) feet or three (3) stories, whichever is less.

ITEM #13. The Yorba Linda Zoning Map is amended as follows:

The zoning for the proposed rezoning site located at 19081-19111 Yorba Linda Blvd – APN #323-081-35, -36 (Site S4-204B) will change from “Residential Estate” (RE) to “Residential Multi-family 20” (RM-20) to allow a maximum residential density of twenty (20) dwelling units per acre and a maximum building height of forty (40) feet or three (3) stories, whichever is less.

ITEM #14. The Yorba Linda Zoning Map is amended as follows:

The zoning for the proposed rezoning site located at 4341 Eureka Ave – APN #323-071-03 (Site S3-034) will change from “Residential Suburban” (RS) to “Residential Multi-family” (RM) to allow a maximum residential density of ten (10) dwelling units per acre and a maximum building height of thirty-five (35) feet or two (2) stories, whichever is less.

ITEM #15. The Yorba Linda Zoning Map is amended as follows:

The zoning for the proposed rezoning site located at 5225-5227 Highland Ave – APN #343-561-08, -09 (Site S3-205A) will change from “Residential Estate” (RE) to “Residential Multi-family” (RM) to allow a maximum residential density of ten (10) dwelling units per acre and a maximum building height of thirty-five (35) feet or two (2) stories, whichever is less.

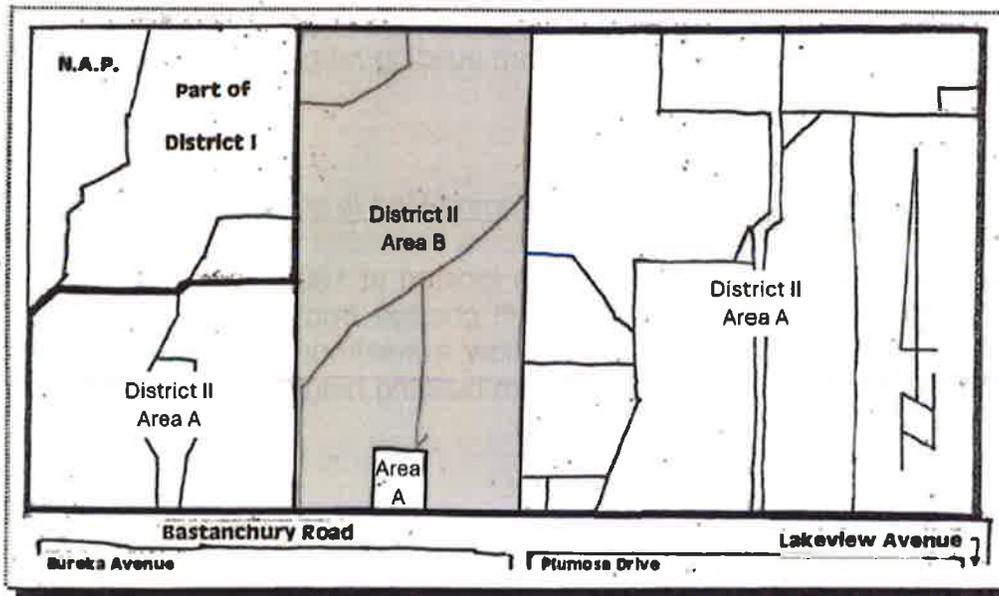
ITEM #16. The Yorba Linda Zoning Map is amended as follows:

The zoning for the proposed rezoning site located at 17651 Imperial Highway – APN #323-051-26, -027 (Site S3-211) will change from “Residential Suburban” (RS) to “Residential Multi-family” (RM) to allow a maximum residential density of ten (10) dwelling units per acre and a maximum building height of thirty-five (35) feet or two (2) stories, whichever is less.

ITEM #17. The West Bastanchury Planned Development (PD) text for District II is amended as follows:

## WEST BASTANCHURY PRD DISTRICT II

District II Map



- Size:** 66.5 acres
- Density:** 1.0 dwelling units per acre (Area A) & no more than 98 total units (Area B)
- Location:** the north west quadrant of Bastanchury Road and Lakeview Avenue, except for the westerly 17 acres (District I)
- APNs:**  
Area A  
323-171-05,06,07, 323-181-02,03, 323-121-01,02,03,04,05  
323-191-01,02,03,04,05,06,07,08  
Area B  
323-181-04 (max 18 units) & 323-181-05,06,07 (max 80 units)
- Uses**  
**Permitted:** Same as for RA (Residential Agricultural) zone for Area A and RM for Area B
- Development**  
**Standards:** Same as for RA for Area A and same as RM for Area B
- Street**  
**Standards:** Rustic - rolled curb with no sidewalks, unless sidewalks determined necessary for public safety; trail(s) may be used to provide access to arterials
- Trails:** Provide for equestrian trail connection with the Vista Del Verde Master Planned Community along the northern perimeter of District II
- Arterial**  
**Access and**  
**Setbacks:** With new subdivisions, no lots to front on or take access from the arterial (Bastanchury and/or Lakeview); there shall be a twenty-five foot landscape setback (measured from curb) to perimeter wall (sidewalk and/or trail included within this setback)

ITEM #18. The Savi Ranch Planned Development (PD) text is amended as follows:

ZONING CODE AMENDMENT 2024 -02 AMENDING SAVI RANCH PD

Conditions or circumstances not specifically provided for in these regulations, shall be regulated by provisions of the Yorba Linda Zoning Code. In cases of conflict between provisions of the Yorba Linda Zoning Code and provisions in the Commercial Retail designation of the Savi Ranch PC zone, the following regulations shall prevail:

1. DEFINITION

Commercial Retail - this area is intended for commercial retail users, primarily "big box" development, major retailers of considerable size, and support commercial uses within the designated retail center.

2. PROPERTY DEVELOPMENT STANDARDS

Lot area	10,000 sq.ft.
Lot width	60 ft.
Lot depth	100 ft.
Front Yard Setback	5 ft.
Side Yard Setback	-
Side Yard (Street Side)	5 ft.
Rear Yard Setback	-
Max. Bldg. Height	45 ft.

3. PERMITTED USES

The following uses are permitted or conditionally permitted in the Commercial Retail designation of the PC Zone for Savi Ranch:

<u>POTENTIAL USES</u>	<u>PERMITTED\CUP</u>
Alcoholic Beverage Sales	C
Ancillary Food & Beverage Sales	P
Apparel Store	P
Appliance Store	P
Books, Gifts & Stationary Store	P
Cellular Antenna Sites	C
Commercial Recreation Facilities	C
Computer Store	P
Convenience Store	C
Department Store	P
Drive Through Restaurants	C
Drug Store/Pharmacy	P
Furniture Store	P
	P
General Retail	C
Grocery Store	P
Hardware/Home Improvement	C
Health Club	C
Hotel/Motel	C
Movie Theater	P
Music/Video Store	P
Office Supplies	P
Pet Store	C
Restaurant	P
Retail Warehouse Store	P
Sporting Good Store	P
Toy Store	P
Vehicle Sales and Leasing	C
Video Arcade	C

Uses of a similar nature and intensity as the above mentioned uses, as well as temporary uses, may be permitted with the approval of the Community Development Director.

Uses which do not pertain to a retail commercial center would not be permitted. Such uses include, but are not limited to the following: service\gas stations, car washes, churches, educational facilities, office uses, catering, medical facilities, etc.

Certain parcels identified in the 2021-2029 Housing Element and in Zone Change 2024-002 are permitted to allow for residential use at a minimum density of forty (40) dwelling units per acre and a maximum of sixty (60) dwelling units per acre.

4. **PARKING**

Off street parking standards shall be the same as those described in the Yorba Linda Zoning Code, Chapter 18.22, with the exception of Section 18.22.040.D.5 which requires a minimum of six foot wide landscape planters between facing rows of parking. Instead, a combination of six foot wide planters and/or diamond shaped tree wells between the facing rows of parking will be permitted in the Commercial Retail designation of the Savi Ranch PC Zone.

5. **SIGNAGE**

- a. For the shopping center, there shall be allowed two illuminated, freestanding-base mounted identification signs at the entrance to the center, not to exceed 100 square feet in area per side and eight feet in height. A minimum of 15 percent or more of said sign shall be allocated for the shopping center's name, with not more than 85% of the sign being allocated for up to eight individual tenant i.d. panels.
- b. For each use\tenant, one primary sign over the front entrance is allowable with the following maximum sign area:

<u>Building Square Footage</u>	<u>Max. Sign Area</u>	<u>Letter Height</u>
Tenants 45,000 s.f. to 130,000 s.f.	300 square feet	7 feet*
Tenants 20,000 s.f. to 44,999 s.f.	200 square feet	6 feet*
Tenants 12,000 s.f. to 19,999 s.f.	150 square feet	4 feet*
Tenants under 12,000 s.f.	100 square feet	3 feet*

\* Initial capital letter may exceed letter height by 1 foot.

- c. For each use\tenant, a secondary sign is permitted, which shall be placed on a side of the building fronting on a street, parking lot, or major drive aisle, and may not exceed 60% of the sign area of the primary sign allowed for such tenant. If a building has more than two sides fronting onto a street, parking lot, or major drive aisle, the tenant may request approval for a third sign from the Community Development Director.
- d. Individual monument signs, internal directional signs, menu boards shall follow the specification of the Zoning Code, or as otherwise approved by the Community Development Director.
- e. A movie theater marquee must be mounted on the theater building and may not exceed the maximum sign area established above. The theater marquee shall be in addition to the allowable building signage for the theater.

General sign specifications shall be the same as those described in the Yorba Linda Zoning Code, Chapter 18.24.

# SAVI RANCH (PD)

## PROPERTY DEVELOPMENT STANDARDS

	OFFICE & COMMERCIAL	SUPPORT COMMERCIAL	INDUSTRIAL R&D	COMMERCIAL RETAIL
<b>LOT AREA*</b>	½ acre	½ acre	½ acre	10,000 sq. ft.
<b>LOT WIDTH</b>	150 ft.	100 ft.	100 ft.	60 ft.
<b>LOT DEPTH</b>	150 ft.	100 ft.	100 ft.	100 ft.
<b>FRONT YARD</b>	20 ft.	20 ft.	15 ft.	5 ft.
<b>SIDE YARD, STREET SIDE SIDE YARD</b>	20 ft.	20 ft.	15 ft.	5 ft.
<b>REAR YARD</b>	10 ft.	10 ft.	0 ft.	-
<b>BUILDING HEIGHT</b>	55 ft.**	35 ft.	55 ft.***	45 ft.***
<b>MAXIMUM DWELLING SIZE</b>	--	--	--	--
<b>DISTANCE BETWEEN BUILDINGS</b>	--	--	--	--
<b>LOT COVERAGE (MAXIMUM)</b>	60%	35%	50%	-

\* Condominium sites for office, commercial, and industrial uses shall not have minimum building parcel size.

\*\* No building shall exceed a height of 55 feet, except that subject to a Conditional Use Permit buildings (in Office and Commercial area) may be constructed to a height of 12 stories.

\*\*\* On Housing Element sites, the maximum building height shall be 85 feet and no more than five residential stories. For mixed use development on Housing Element sites, the maximum height of 85 feet may be exceeded through the approval of a Conditional Use Permit and Design Review. In no case shall the building height exceed one hundred (100) feet.

P.C. OFFICE AND INDUSTRIAL PARK ZONE

FILE

SECTION 1 - PURPOSES

*For Savi Ranch*

The purpose of the PC, Office and Industrial Park Zone is to accommodate the introduction of various office, commercial, and industrial and open space uses into a single comprehensive development. The Office and Industrial Park Zone will facilitate the integration of these uses in a manner which creates a functional and aesthetically pleasing employment complex. Four land use categories constitute this zone in accordance with the following purposes (refer to attached map for location of land use areas):

- A. Office and Commercial - this area is intended as a location for uses of an office or primarily retail commercial function. The area will accommodate multi-story office buildings as well as retail commercial uses serving a clientele located outside as well as within the Office and Industrial Park Zone.
- B. Support Commercial - this area is intended as a location for low intensity commercial, office, or recreational uses. Topographic considerations such as significant slopes and land area preclude high intensity development yet offer opportunities for low intensity uses having good visibility from the Riverside Freeway.
- C. Industrial/Research and Development - this area is intended as a location for high technology industries primarily in fields of electronics, instruments, and machinery which are labor-intensive, growth oriented, and environmentally clean, as well as related and complimentary light industrial and service commercial uses.
- D. Open Space Preserve - this area is intended for passive and active open space uses. It is intended that this area will serve as an open space link between Yorba and Featherly Regional Park, as well as an area for the recreational uses ancillary to the employment complex. This area is coterminus with the City of Yorba Linda zoning.

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**SECTION 2 - PERMITTED USES**

**A. Office and Commercial**

**Offices**

- **General retail**
- **Food service**
- **Hotels and motels**
- **Medical, dental and related health care services for humans**
- **Nurseries**
- **Public service utility offices**
- **Recreational facilities**
- **Service stations**
- **Parking facilities**
- **Theaters and entertainment complexes**
- **Veterinary offices**
- **Public utility installations**
- **Roads**
- **Temporary uses as permitted by the Planning Director**
- **Uses of a similar nature and intensity as the above.**

• **Certain parcels identified in the 2008-2014 Housing Element and in Zone Change 2011-01B are permitted to allow for residential use at a maximum density of thirty (30) dwelling units per acre and a maximum building height of fifty (50) feet or four (4) stories, whichever is less, in accordance with the property development standards set forth in the "Residential Multiple-Family 30" (R-M-30) zone.**

• **Certain parcels identified in the 2021-2029 Housing Element and in Zone Change 2024-002 are permitted to allow for residential use at a minimum density of forty (40) dwelling units per acre and a maximum of sixty (60) dwelling units per acre.**

**B. Support Commercial.**

Convenience packaged-good retail stores

Hotels, motels, inns

Food service

Offices

Public utility installation

Roads

- Temporary uses as permitted by the Planning Director
- Vehicle sales facilities (conditional use permit required)
  - Includes ancillary support services that operate in conjunction with a vehicle sales facility (e.g. vehicle repair and vehicle rental) - conditional use permit required
- Uses of a similar nature and intensity as the above.
  - However, uses such as commercial recreation (e.g. dance and martial arts studios), tutoring facilities, and churches / temples/religious institutions are expressly prohibited within the zone.
- Certain parcels identified in the 2008-2014 Housing Element and in Zone Change 2011-01B are permitted to allow for residential use at a maximum density of thirty (30) dwelling units per acre and a maximum building height of fifty (50) feet or four (4) stories, whichever is less, in accordance with the property development standards set forth in the "Residential Multiple-Family 30" (R-M-30) zone.

**C. Industrial/Research and Development**

Blueprinting, printing, xerox and related service uses

Distribution, storage, wholesaling and warehousing uses Food service

General manu. turing and assembly uses Industrial and office condominiums Offices

Repair shops

- Testing facilities
- Uses engaged in research, laboratories and compatible light manufacturing
- Parking facilities
- Public utility installations
- Roads
- Temporary uses as permitted by the Planning Director
- Uses of a similar nature and intensity as the above.
- Certain parcels identified in the 2021-202g Housing Element and in Zone Change 2024-002 are permitted to allow for residential use at a minimum density of forty (40) dwelling units per acre and a maximum of sixty dwelling units per acre.

D. Open Space Preserve

- Flood and Road Projects - flood control channels, levees, spreading grounds and basins, roads, bridges and storm drains constructed in accordance with plans meeting the approval of the City Engineer
- Agriculture - all permitted agricultural use types except agricultural processing and tree crops
- Park Projects - parks, campgrounds, picnic grounds, trails, wildlife and natural preserves, and similar open space uses.

The following uses are permitted subject to the issuance of a Conditional Use Permit:

Public utility facilities

Temporary structures which can be readily removed within the time available for flood warning

Recreation areas, parks, campgrounds, playgrounds, fishing lakes, hunting clubs, riding and hiking trails, golf courses, athletic fields, parking lots, wildlife and natural preserves, and similar open space uses without permanent structures or improvements, except restrooms

Excavation *and* removal of rock, sand, gravel and other materials.

The following uses are specifically prohibited:

Landfills

Excavations that will tend to broaden the floodplain or direct flood flows out of the natural floodplain

Human habitations

Storage of flutable substances or materials which will add to the debris load of a stream or watercourse

Storage of Dangerous Material - storage of chemicals, explosives, flammable liquids or other toxic materials.

**B. Off-Street Parking**

Off-street parking standards shall be the same as expressed in Section 14 of the Yorba Linda Zoning Ordinance, except that a maximum of twenty-five (25) percent of required off-street parking spaces may be designed to accommodate compact automobiles. Compact vehicle parking spaces shall have a minimum dimension of 8 feet by 16 feet.

**SECTION 4 - PERFORMANCE STANDARDS**

Performance standards, governing noise standards; landscaping maintenance, screening of mechanical equipment, odor, radioactivity, heat and glare, vibration, fire and explosion hazard and outdoor storage area shall be governed the City of Yorba Linda Zoning Ordinance.

**SECTION 5 - SIGNS**

Signs shall be governed according to Chapter 18.24 of the Yorba Linda Zoning Ordinance with the following exceptions:

- A. In the Office and Commercial sub area, buildings in excess of two (2) stories shall be permitted to exceed 30 square feet per building sign subject to the approval of the Community Development Director.
- B. In the Support Commercial sub area, each use shall be permitted one lighted freestanding sign not exceeding 75 square feet in area.
- C. In the Industrial/Research and Development sub area, freestanding signs shall be ground-mounted or monument type signs (as opposed to pole or pylon) and shall not exceed a height of six (6) feet.

**SECTION 6 - SPECIAL REQUIREMENTS FOR HOUSING DEVELOPMENT**

- A. Uncovered parking spaces, common open space areas, and private patios and stoops shall be permitted within setback areas provided that a masonry wall six feet in height and screen landscaping at least 5 feet in width is erected and maintained between such uses and the property line. In addition, uncovered parking spaces within front and street-side setback areas, however, shall be located a minimum of 10 feet from the property line as required in Section 18.22.040 (C)(2)(f).
- B. Landscaping. The following landscaping standards shall apply. These standards shall override Section 18.10.110 (C)(2) and 18.10.110 (C)(3), if applicable:
  1. A minimum 50 percent of the building site area, exclusive of building footprints, shall be landscaped and provided with an adequate underground irrigation system.
  2. A minimum of 25 percent of the building site area, exclusive of building footprints, shall accommodate private, active patio areas or active areas for common use of residents such as BBQs, playgrounds, hardscape features, and outdoor seating areas. The active areas for common use of residents shall comprise no less than one-fifth of this 25 percent of building site area.
- C. The minimum unit size shall be:
  1. Studio units: 400 square feet
  2. 1-bedroom units: 600 square feet
  3. 2-bedroom units: 700 square feet
  4. 3-bedroom units: 900 square feet