

APPENDIX A

The La Habra Heights General Plan Advisory Committee (GPAC) developed specific policies; GPAC feels that a few policies require written explanation as to their desired implementation. These include Land Use Policies 21, 6 and 40.

Land Use Element Policy 21. The City shall consider implementing a site plan review process of all proposed new structures in order to allow for alternatives in the placement of the structure and other development within the lot that will minimize the need for grading and the alteration of the natural topography in order to meet the goals of this General Plan.

Land Use Element Policy 6. Various proportional requirements such as floor area ratios, cubic content ratios, permeable soil area ratios, and other non-proportional requirements such as setbacks and screening shall be established and employed to ensure that residential structures are appropriately scaled to the lot on which they are located.

Land Use Element Policy 40. Properties that adjoin the existing preserves shall be developed with consideration for prevention of adverse impacts upon the preserved plant and animal communities as shown on the Conservation Overlay. (Exhibit 2-2).

CONSTRAINTS TO DEVELOPMENT

Introduction

The General Plan of La Habra Heights establishes Goals and Policies defining, among others, community character. Community character manifests as homes that blend with the setting, privacy of homes, lushly landscaped homes, and minimal urban features such as evidenced by typical urban infrastructure including wide, straight roads, sidewalks and streetlights. In short, the City wants homes that fit to the hills rather than the hills being carved to fit the homes. To this end La Habra Heights has adopted a number of ordinances designed to implement this vision. These ordinances are primarily aesthetic in intent, and are *constraints* that are applied to all development. Other constraints include health and safety constraints typically prescribed by the UBC or other governmental code.

Goal of Constraints Analysis

With respect to our essentially aesthetic ordinances, the intent of Constraints Analysis to ensure that developments conform as closely as possible to the vision embodied by the Goals and Policies of our General Plan. With the exception of the importance attached to view preservation, there has been little ranking of the relative importance of our other aesthetic constraints including setback, height within the allowed range, impermeable coverage, landscaping, cut and fill magnitudes and retaining walls. However, implicit in the ordinances is an apparently lower standard with respect to setback and view, both of which are addressed through a mechanism called “Standards Modification”, essentially a lesser “variance”. However, this use of a lesser variance results not from a lowered

importance but from recognition of an unavoidably higher frequency of application. Virtually all homes call for a “View Preservation Modification” because of the importance attached to view, and for a “Setback Modification” because of the fact that approximately 50 to 70 percent of our existing housing stock may be nonconforming with respect to setback.

The summary goal of these constraints is to allow development where not prohibited by health and safety concerns and to minimize view obstructions, maximize preservation of privacy for neighbors, maintain the look of the community hills and valleys and blend the structures into the existing setting, primarily through use of landscaping.

Implementation of constraints Analysis

In the development application, the Applicant will identify all constraints on the site map. The applicant then must identify all options to their proposed structural placement and structural plan that demonstrates why their proposed plan provides better conformance to the Goals and Policies of the General Plan. For example, if a view obstruction can be lessened through lengthening a driveway, exceeding the impermeable coverage limit, then this option may provide better conformance to the Goals of the General Plan. Similarly, if there is physical constraint to development in a neighbor’s yard such that the applicant can encroach into a yard without loss of privacy to the neighbor and by so doing minimize alteration of natural terrain resulting from grading and retaining walls, then this may be the preferred option.

Constraints to be mapped include the physical boundaries and setbacks, the prohibited areas such as easements for roads or flood, fault or landslide safety, proximity to sensitive environmental features, existence of existing trees, location on a protected ridgeline, and views from neighboring properties including roads.

Community Character Constraints

Community character is defined as the current “look” of the community. In the decade of the 1970s when the General Plan was first developed, there was a trend toward increased home size and diminished lot size (Exhibit 1). The General Plan and implementation ordinances written at that time attempted to preserve the “rural” character of the community through imposition of lot size standards and some development constraints. At the time of incorporation the average structure size was about 3000 sq ft as compared to about 2000 sq ft in the previous decade. Implicitly, the community was trying to preserve a vision of homes less than about 3000 feet on lots till then typically an acre or less in size. A prohibition on creation of new lots of less than one acre was established. Similarly, limits on grading and impermeable coverage were established. Land values were still relatively low and not much attention was given to the consequences of rapidly increasing land value on size of structure or amount of money that could be invested in site modification, such as through large retaining wall systems.

A structure of 3000 sq ft could easily be developed on a one-acre lot without adversely effecting privacy or neighborhood character. However, as structures of four, five and six thousand feet began to be built with larger garages, pools and tennis courts, residential character began to change. Further, height standards designed to encourage homes of two stories and homes that conform to slopes became ineffective, often through use of large retaining walls that are not specifically addressed in codes, with the result of three

story homes becoming something of a norm. Additionally, maximum limits on total graded area began to be taken as the norm for development of flat pad areas.

Proportionate Ratios

Review of home sizes and lot coverage ratios prior to incorporation can be used as a baseline for defining community character. A few of these data sets are shown in Exhibits 1, 2, 3 and 4. Standard constraints including ratios of structure size to lot size, to setbacks, to graded area and to floor area ratios can be developed to perpetuate community character. CONCEPTUAL relationships between these constraints and structure size are shown in Exhibits 5, 6, 7 and 8.

Note that Exhibits 4 through 8 represent concepts not recommended values. However, it should also be noted, as has often been stated, that setbacks and impervious coverage provide some limit to house size. This is somewhat misleading, however. For example, a one-acre lot provides about 23,500 sq ft exclusive of setbacks. Further, if that one-acre is on a slope of about 20%, the allowable impervious area would be about 35%, or about 15,000 sq ft. Assume that one fourth of that is driveways and walkways, there is 11,250 sq ft remaining. That translates into 22,500 sq ft for a two-story house. On a 7-acre lot at 20% slope, the same reasoning leads to a house size limit of 160,000 sq ft.

Setbacks protect privacy; impervious limits are an aesthetics issue that also controls run-off. These constraints are not limits on home size.

Graphics

Conservation

The purpose of the Conservation Overlay Zone is to provide protection to the sensitive plant and animal species and Wildlife Corridor of the Puente Hills. The concepts employed in such protection are essentially benign, and are a “good neighbor” type policy based upon common sense. The need for an Overlay Zone reflects the existing CEQA Guidelines section 15300.2 (c), which states that when a project has the reasonable possibility of having a significant impact on the environment a categorical exemption, such as one typically given with the development of a single family residence, shall not automatically be granted.

The recommendations include:

- No automatic CEQA categorical exemption can be granted for new development or significant remodels.
- Increase setback from the habitat as much as possible for the lot being developed to minimize area of habitat that must be cleared of brush to comply with fire code.
- Fence property to keep out wildlife and keep in pets
- Try to pick landscaping from the attached plant pallet and particularly avoid introduction of exotic invasive species or those that attract deer and deer predators.
- No lights should be directed into habitat.
- No rodent poison should be used as such often ends up poisoning predators feeding on rodents.
- No trails into Habitat should be constructed from the property
- PHLNHPA should be included in coordinated Review
- Provision of educational materials to occupant, including this information from the PHLNHPA:

Do not store or dispose on site or on preserved lands horse or companion animal (pet) manure. This may attract insects such as the canyon fly which when in large numbers can be an annoyance to people. 2) Clear the brush from the yard -do not have too many unkempt bushes as this can provide homes from rodents - which attracts predators in addition to being a possible fire hazard. 3) Do not leave small children unattended in yards. 4) Do not leave pet food or water in yards. 5) Bring your companion animals (dogs) in at night for safety or put in an enclosed pen (goats, sheep, chickens, etc...) . Do not let your cats outside as they are predators that prey on native shrub breeding birds, reptiles and amphibians. The domesticated cat is not a natural predator for native animals - and upsets the natural balance of the ecosystem. Also, do not let dogs roam off leash as the same unbalance that occurs with cats, also occurs with dogs. In fact, sometimes, dogs and cats can introduce diseases into the wild animal populations and vice versa - Your cat or dog could catch a virus or disease from the wild animals. Also, to avoid introducing diseases into the wild animal populations, it is extremely important that your dog or cat has their regular vaccinations. A coyote can get ill just by sniffing dog feces. This is one of the reasons why picking up after your companion animals is very important when visiting the preserved open spaces. For further discussion please reference <http://www.parks.ca.gov/pages/21280/files/urbanedged.pdf>

(See page 4 of this pdf file) 6) If the home owners have companion animals in the yard then they want to make sure their fence is installed at least 6 inches underground and 6 feet high to coyote-proof it, but lions can still jump over. 7) Spay or neuter your pets so they do not attract other species. 8) Excess noise should not be allowed. It disturbs the tranquility of the wildland and for trail users. 9) Trash should be kept in a tightly secured container. 10) Log piles on the sides of houses provide good homes for rodents.

Native Plant Species for Fuel Modification Zone

Scientific Name	Common Name
Baccharis pilularis	Coyote brush
Encelia californica	Coast sunflower
Heteromeles	Toyon
Juglans californica	Southern California black walnut
Lupinus bicolor	Miniature lupine
Lupinus succulentus	Arroyo lupine
Malosma laurina	Laurel sumac
Mimulus aurantiacus	Monkeyflower
Opuntia littoralis	Prickly-pear
P. illicifolia	Hollyleaf Cherry
Platanus racemosa	Western sycamore
Qercus agrifolia	Coast live oak
R. crocea	Redberry (Buckthorn)
R. ovata	Sugar bush
Rhamnus California	Coffeeberry
Rhus integrifolia	Lemonade Berry
Ribes speciosum	Fuschia-flowered gooseberry
Salvia species	Sage