

HOUSING INCENTIVE OVERLAYS



OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS

[PUBLIC REVIEW DRAFT]

DECEMBER 18, 2023



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ACKNOWLEDGEMENTS

City of Buena Park

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- Mayor Pro Tem Susan Sonne (District 3)
- Council Member Joyce Ahn (District 1)
- Council Member José Trinidad Castañeda (District 2)
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CHAPTER 1. INTRODUCTION

1.1 Purpose and Goals

Development and design standards regulate development intensity, style, massing, orientation, and open spaces. Objective design standards are measurable, verifiable, and quantifiable. They provide for a predictable and equitable path to development approvals in an effort to streamline and support consistent design in the community.

The City developed Objective Design and Development Standards (ODDS) to support and guide the development of housing within the City's six (6) Housing Incentive Overlays (HIO). As the state continues to experience a housing crisis, transparency and objectivity are both tools that can streamline and support the development of new housing. Additionally, the City must comply with state legislation, which requires jurisdictions to review new multi-family and mixed-use residential housing projects ministerially guided by Objective Design and Development Standards.

The goal of this document is to provide clear guidelines and standards for the design, construction, review, and approval of multi-family residential and mixed-use residential development in Buena Park. Through this document, Applicants, Developers, and City staff have a clear understanding of the City's minimum design expectations. Most of the ODDS are written as minimum standards for site and structure design but also offer recommendations and guidelines for quality and character. Projects must also comply with all applicable Building Code, Zoning Code and Fire Code requirements, and development standards.

1.2 Relationship to State and City Regulations

The following describes how the ODDS relate to and comply with State and City regulations:

General Plan. The General Plan's 2021-2029 Housing Element describes the City of Buena Park's goals of assisting in the provision of housing that meets the needs of economic segments of the community; providing suitable sites for housing development to accommodate a range of housing by type, size, location, price, and tenure; and mitigating any potential governmental constraints to housing production and affordability. A few of the Housing Element's Programs for guiding the development of affordable housing projects include providing Affordable Housing Incentives (Program 8), Adequate Sites to Accommodate the RHNA and No Net Loss (Program 11), By-Right Approval for Projects with 20% Affordable Units (Program 12), Special Needs Housing (Program 14), Streamline Entitlement and Permit Processing (Program 16), and adherence to these HIO Objective Design and Development Standards.

Zoning Ordinance. All development must comply with the regulations within the City's Zoning Ordinance. These Objective Design and Development Standards are applicable to new multifamily housing and mixed-use projects built on parcels within the City's Housing Incentive Overlays identified and described further in the City's Zoning Ordinance.

Residential Design Guidelines. Several of these Objective Design and Development Standards are adapted from the City's Residential Design Guidelines for multifamily residential development specific for lower intensity to higher intensity residential infill development.

1.2.1 Additional Documents

Development within the HIO's may be subject to additional regulations other than the ODDS detailed in this document. Because development projects throughout the City are unique by use, character, needs and geographic location, no single document or process can address all aspects of project design. Please refer to the below referenced documents for additional information and standards that may apply to specific or unique development contexts.

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- General Plan
- Housing Element
- Buena Park Municipal Code
- Water Efficient Landscape Ordinance
- Parks and Recreation Master Plan
- Sewer Master Plan
- Complete Streets Master Plan

1.3 Target Audience for ODDS

Developers

This document will provide clear directions for renovation and new construction. The required checklist will serve as a tool for the property owner, the designer/developer, and staff during the review process; it will also clarify the aspects of quality design.

Property Owners

This document will give property owners a clear understanding of the design elements that are required for development projects. This document will work in conjunction with the General Plan and Zoning Ordinance and will provide a clear set of expectations and responsibilities.

City Staff

City staff will use the standards to assist applicants and their representatives with project processing. The document and checklist will serve as the basis for evaluating the quality of design in proposals.

Decision Makers

The document will provide a basis for the Planning Commission, City Council, Community and Economic Development Director, and other reviewing bodies to evaluate development project's quality of design.

1.4 How To Use This Document

This document includes the following:

Permitted Uses

There are two (2) permitted use tables in this document. 1) Mixed-Use projects and 2) Residential Only projects.

Development Standards

Development Standards have been divided into two (2) sets of standards. 1) Mixed-Use and Residential Only Projects and 2) Hotel/Motel Conversion projects.

Objective Design Standards

Objective design standards are comprised of five (5) topic areas. 1) Site Design, 2) Building Design, 3) Landscaping, 4) Lighting, and 5) Signage.

Architectural Styles

These apply based on the chosen architectural style for the proposed project. The defined architectural styles can be found as a separate document located on the Planning Division's webpage and includes both minimum design standards as well as recommended and optional design elements.

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Checklist

The checklist is a separate document located on the Planning Division's webpage and provides a summary of all applicable standards based on location, project intensity, and architectural style. The checklist shall be used prior to submittal to ensure all required standards are met and understood by the Applicant.

1.5 User Guide

This user guide applies to each of the Housing Incentive Overlays, with the exception of the Hotel/Motel Conversion Overlay (HMCO). To apply the HMCO to the pre-selected site, see Section 3.2 (Development Standards) and Chapter 5 (Hotel/Motel Conversion Overlay) and Chapter 6 (Definitions).

Step 1: Identify the Housing Incentive Overlay

Determine if your site is located within an HIO (Section 2.2 HIO Map) and meets the minimum lot size requirements provided in Chapter 3. If your site does not meet the minimum lot size requirements, the site may be eligible for parcel aggregation. Contact the Planning Division for additional information.

Step 2: Review Section 1.6 Administration and Consultation with the Planning Division

It is recommended that the Applicant review Section 1.6 of this document to become familiar with the administration process. Following the review of Section 1.6, it is highly recommended that the prospective Applicant meet with Planning Staff to become familiar with the application and submittal requirements for a project prior to a formal submittal. Additionally, a pre-application process is required for all proposed projects. The pre-application allows the Applicant to receive Staff review from various departments prior to a formal submittal. Formal submittal will also include the signed checklist to be reviewed by Planning staff; approval will not be given or determined without a signed checklist.

Step 3: Review the Development Standards

Depending on which HIO your site is located on, you will review and apply the development standards provided in Chapter 3. Section 3.1 contains all of the development standards for mixed-use and multi-family developments.

Step 4: Determine the Permitted Uses

Select from the list of permitted uses provided in Section 2.3 (Permitted Uses). If your site is located within one of the three (3) Mixed-Use Overlays, you will refer to Section 2.3.1 of this document. If your site is located within a Multi-Family Overlay, you will refer to Section 2.3.2 of this document.

Step 5: Review the Objective Design Standards

The Objective Design Standards are comprised of five (5) topic areas:

1. Section 4.1 Site design
2. Section 4.2 Building design
3. Section 4.3 Landscaping
4. Section 4.4 Lighting
5. Section 4.5 Signage

Each of the standard Sections reference above begins with an intent statement, followed by specific standards applicable to that Section. The intent statements are provided to help the reader understand the overarching principles behind the standard requirements and do not serve as review criteria. The design standards provided in Chapter 4 clearly identify if the standard applies to residential only projects or mixed-use residential projects. If the standard does not specify if it applies to residential only projects or mixed-use residential projects, then the standard applies to both types of projects.

Step 6: Review the Architectural Styles Objective Design Standards (Separate Document)

The design and detailing of buildings are paramount to a quality environment, and the City is committed to authentic expressions of architectural style. Architectural design elements and materials shall be consistent throughout the project,

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recognizing that a building is three-dimensional and must be well designed on all sides. Detailing, choice of materials, and window and door choices shall reinforce the overall project design. To provide guidance on architectural styles, the objective design standards located on the Planning Division’s webpage, offer a menu of the most common architectural styles found in the area, including:

- Spanish Colonial Revival
- Craftsman
- American Traditional
- Farmhouse
- Tuscan
- Modern

Within each style description, various elements related to roof forms, windows, decorative details, and other topics are listed. The Architectural Style Objective Design Standards require certain elements, while other, decorative elements may be selected from a menu of options. To encourage variety in the design, proposed projects with more than eight (8) buildings must utilize more than one architectural style. However, styles may not be mixed within a single building.

Step 7: Review the Zoning Ordinance and Complete the ODDS Checklist

All development shall comply with the standards of the Buena Park Municipal Code, Title 19, Zoning, as well as, Title 8, Health, Safety, and Welfare, Title 15, Building and Construction Safety, and Title 16, Fire Safety.

A checklist of the Objective Design Standard requirements is located on the Planning Division’s webpage as a separate document. This checklist should be filled out by the Applicant and reviewed by Staff to indicate whether the Applicant’s project meets the requirements for ministerial review.

1.6 Administration

1.6.1 Purpose

The purpose of this Section is to facilitate the development and availability of housing affordable to a broad range of households with varying income levels within the City to meet current and future housing needs. The provision of affordable units within new residential developments will ensure that new affordable housing units are distributed throughout the City in order to provide economically diverse neighborhoods and avoid concentrated low-income housing. It is intended in part to implement state policy that declares that local governments have a responsibility to exercise their powers to facilitate the development of housing to adequately provide for the housing needs of all economic segments of the community, as stated in Government Code Section 65580. It is also intended to implement Program 16 of the Housing Element which calls for establishing objective design criteria to implement community design objectives while complying with State law requiring permit streamlining and housing accountability.

1.6.2 Applicability

These Objective Design and Development Standards apply to all residential and mixed-use developments within the Housing Incentive Overlays, as illustrated on [Figure 2.2-A \(HIO Map\)](#) and the Residential Site Inventory (Appendix C – Table B) of the 2021-2029 Housing Element Update. The Housing Incentive Overlays shall have a minimum site area of 0.5 acres and accommodate at least sixteen (16) units on the site. Projects must also comply with all applicable building permit requirements, zoning code requirements, fire code requirements, subdivision requirements, and development standards as outlined.

A project that includes a request for an adjustment to objective zoning standards (variance, modification, exception, waiver, or similar requests), other than modifications granted as part of a density bonus concession or incentive pursuant to State

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Density Bonus Law, does not comply with objective zoning standards and will require a discretionary approval subject to Section 19.128.020 of the Zoning Code.

1.6.3 Affordability Requirements

1. **Requirements.** All for-sale projects and rental projects shall either include the number of affordable units required under Subsection 4 or pay the in-lieu fee required under Subsection 1.6.4. No application for a rezoning, tentative map, parcel map, conditional use permit, design review, or building permit shall be approved, nor shall any such project be constructed or condominium conversion approved, without compliance with this article.
2. **Affordable Housing Agreement.** Pursuant to Government Code 65915, in accordance with this Section and as approved by the City Attorney, and recorded by the County Recorder, Applicants shall be required to enter into an Affordable Housing Agreement for a minimum period of 55 years for rental units and equity sharing agreement for 45 years for-sale units.
3. **Exemptions.** Subsection (1) of this Section shall not apply to accessory dwelling units.
4. **Requirements – For Sale and Rental Projects.** The required number of affordable units in a for-sale or rental project shall depend upon the total number of dwelling units in the project and the type of affordable units being included (i.e., whether they are made affordable to moderate-income, low-income or very low-income households). The Developer of the project may choose which type of affordable units to include. A project must include at least one (1) of the following in order to develop a project at the maximum density permissible within the Overlay. Additional density pursuant to the State Density Bonus law may be permissible.
 - a. Housing is considered affordable when it requires 30 percent or less of the household's income. The 30 percent includes rent or mortgage payment, utilities, taxes, and insurance. The California Health and Safety Code §50052.5 and §50053 provide guidelines for estimating affordable housing costs for different income groups and tenure types. The affordable housing cost guidelines include the following:
 - i. Extremely Low: 0%-30% AMI
 - ii. Very Low: 31%-50% AMI
 - iii. Low: 51%-80% AMI
 - iv. Moderate: 81%-120% AMI
 - b. The Developer of a for-sale/ownership or rental project shall provide a percentage of the proposed housing units as deed-restricted affordable housing according to one (1) of the following:
 - i. **Very Low-Income Units:** At least 8% of the proposed housing units are restricted to very-low-income residents.
 - ii. **Low-Income Units:** At least 20% of housing units are restricted to low-income residents.
 - iii. **Moderate-Income Units:** At least 40% of housing units are restricted to moderate-income residents.
 - iv. **Blended Target Income Levels:** The developer may request that the project include affordable units that are targeted to a mix of income levels (moderate, low and very-low), as long as at least 20% of housing units are restricted to low-income residents. The final decision regarding the blended target income levels shall be made by the Community and Economic Development Director.
5. **Fractional Units.** When the application of the percentages specified above results in a number that includes a fraction, the fraction shall be rounded up to the next whole number if the fraction is 0.5 or above. If the result includes a fraction less than 0.5 the developer shall have the option of rounding up to the next whole number and providing the affordable

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unit on site or paying a fee in lieu of providing an additional affordable unit. The in-lieu fee shall be calculated in accordance with Section 1.6.4.

- Unit Mix.** The unit mix (i.e., the number of bedrooms per unit) of the affordable units shall be in roughly the same proportion as the unit mix of the market rate units. For example, if a project has ten (10) two (2) bedroom units and twenty (20) one (1) bedroom units and is required to include three (3) affordable units, then the affordable units must consist of one (1) two (2) bedroom unit and two (2) one (1) bedroom units. If only one (1) affordable unit is required and the other units in the project have various numbers of bedrooms, the developer may select the number of bedrooms for that unit. If affordable units cannot mathematically be exactly proportioned in accordance with the market rate units, the unit mix shall be determined by the Community and Economic Development Director.
- Location of Affordable Units.** All affordable units shall be built on the same site as the remainder of the project and distributed throughout the project.

1.6.4 In-Lieu Fees

- As provided in Section 1.6.3 (Affordability Requirements), a per dwelling unit fee may be paid in-lieu of providing up to 25% of the required affordable units in either a for-sale/ownership or rental project.
- For residential development projects constructed in phases, in-lieu fees shall be paid prior to issuance of each building permit in the proportion that the phase contributes to the overall residential development project.
- The City Council shall, from time to time, adopt a resolution setting forth the amount of the in-lieu fees.

1.6.5 Applications

- Affordable Housing Agreement Required.**
- Applications.** Applications for residential development projects shall include the following applications and plans for the project:
 - Preliminary Application Form** pursuant to SB 330.
 - Housing Incentive Overlays Objective Design Standards Checklist.
 - Project Site Plan.
 - Project Elevation Plans.
 - Conceptual Landscape Plans.
 - Utility Plans.
 - Demolition Plan, if applicable.
 - Roof Plan.
 - ALTA Survey.
 - Title Report.
 - Agent Authorization Form.
 - Preliminary Grading Plan.
 - Vehicles Miles Traveled (VMT)/Traffic Analysis.
 - Approved Preliminary Water Quality Management Plan, if applicable.
 - Project Phasing Plan, if applicable.

1.6.6 Procedures

- Applications are required to be submitted to the Planning Department for ministerial processing and must include an application packet and design plans. Only sites within the Housing Incentive Overlays [Figure 2.2-A \(Housing Incentives Overlay Map\)](#) and [Figure 2.2-B \(Zoning Map\)](#) are qualified by-right residential only or mixed-use development and can submit an application to the Planning Department for ministerial review.

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2. For properties outside of the HIO boundary, a rezone of the parcel(s) to add it to the HIO may be permitted subject to City Council approval prior to submitting an application to the Planning Department.
3. Projects will be processed administratively by staff and reviewed for conformance with these Objective Design Standards. If determined by staff upon review of the application materials that the project conforms with all applicable objective design standards, the Applicant may proceed with submitting a building application for the project.
4. If a project does not meet one (1) or more of the Objective Design Review standards, the Applicant can amend their application to comply, or when appropriate, the Community and Economic Development Director shall administratively approve no more than three (3) adjustments (e.g., when the Applicant can demonstrate that site design/layout would be improved or that there is a constraint that would make complying with a standard infeasible given site layout, etc.) from the objective design standards.
5. For deviations not deemed minor by the Community and Economic Development Director, the Applicant can request a public hearing before the Zoning Administrator for design review approval. The project will still be reviewed for conformance with the HIO Objective Design Standards by the Community and Economic Development Director while taking into consideration whether the deviation(s) from the standards is appropriate. Regarding compliance with the California Environmental Quality Act (CEQA), a project on a qualified site may be exempt from CEQA unless there are irregular circumstances that would create a new impact not already identified and mitigated as part of the Environmental analysis. Other environmental analysis shall be consistent with Section 1.7 of this Chapter.
6. A Focused EIR (FEIR) will be prepared to more fully analyze potentially significant impacts to Air Quality and Green House Gas resulting from the adoption of the HIO. Once the FEIR is certified by the City, all future residential or mixed-use residential development projects within the HIO will be reviewed to determine the most appropriate CEQA analysis required. This includes either a Categorical Exemption (CE); a Negative Declaration or a Mitigated Negative Declaration; or an EIR. Residential or mixed-use residential projects proposed on HIO sites prior to completion of the FEIR, will be required to complete a stand-alone CEQA analysis specific to the project proposed.
7. In the event an Applicant amends an approved application and site plan to relocate a previously approved building on the proposed lot, the Applicant shall obtain approval from the Community and Economic Development Director. In the event an Applicant amends an approved application and site plan to relocate a previously approved building on the proposed lot and proposes a new building with parking or amenities, the Applicant shall obtain approval from the Zoning Administrator. Any new proposed building or modifications to the approved application and site plan shall not exceed 10,000 square feet of new building square footage. New proposed building(s) or modifications to the approved application exceeding 10,000 square feet of new building square footage, shall require Site Plan approval from the Planning Commission.

1.6.7 Minor Deviations to Standards

1. Minor deviations from certain development and/or design standards may be allowed for specific situations or circumstances. The Planning Division may grant an Adjustment for only the standards identified in Chapter 3 (Development Standards).
2. Minor Deviation requests shall be accompanied by a written request by the Applicant explaining the need for the deviation and identifying all existing site conditions or features that prevent compliance with the standard.
3. If the minor deviation request is for a reduction in the required number of parking spaces, the Applicant shall submit a parking demand analysis prepared by a qualified professional as determined by the Community and Economic Development Director.
4. A Minor Deviation determination may be appealed following the appeals procedure identified in Section 19.128.080 (Adjustments) of the Zoning Code.

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5. For the Minor Deviation to be granted both of the following findings are required:
 - a. Site conditions prevent compliance with the standard, including the configuration of the lot, topography, existing natural features, existing buildings/structures, or utility infrastructure.
 - b. The project shall be developed with the intent of each of the objective design standards.
6. If an application requires one or more discretionary approvals, a Minor Deviation related to the project shall be submitted, reviewed, heard, and acted upon concurrently by the highest applicable Review Authority.
7. Refer to Chapter 3 (Development Standards) for applicable adjustments to the development standards.

1.6.8 Streamlined Approval Process

This document hereby adopts California Government Code Section 65913.4 (Housing Development Approvals) by reference. Where this document is silent or conflicts with State law, State law shall prevail.

1.7 Mitigation Measures

All proposed multi-family and mixed-use housing developments within the Housing Incentive Overlays shall be subject to the following objective standard protocols for mitigation, monitoring, and reporting as necessary to avoid a significant impact to the environment in accordance with applicable State and Federal laws. The project applicant or developer is responsible for securing the services of a qualified environmental consultant to ensure compliance with the specified criteria and demonstrating adherence to the required mitigation measures.

1.7.1 Air Quality/Greenhouse Gas Policies

Mitigation Measure – AQ1 Construction Related Impacts

Prior to issuance of grading permits, project Applicants shall prepare and submit a technical assessment evaluating potential project construction-related air quality impacts (regional and localized) to the City for review and approval. The evaluation shall be prepared in conformance with South Coast Air Quality Management District (SCAQMD) methodology for assessing air quality impacts. If construction-related criteria air pollutants are determined to have the potential to exceed the SCAQMD's adopted thresholds of significance, the Applicants shall incorporate all feasible mitigation measures to reduce air pollutant emissions during construction activities to below applicable significance thresholds. These identified measures shall be incorporated into all appropriate construction documents (e.g., construction management plans) submitted and verified by the City. Mitigation measures to reduce construction-related emissions could include, but are not limited to:

- Require construction equipment that meets or exceeds CARB Certified Tier 3 or Tier 4 engine standards.
- Limit the idling time of diesel off-road construction equipment to no more than five (5) minutes.
- Require the use of "Super-Compliant" low VOC paints which have been reformulated to exceed the regulatory VOC limits put forth by SCAQMD's Rule 1113. Super-Compliant low VOC paints shall be no more than 10g/L of VOC. Alternatively, projects may utilize building materials that do not require the use of architectural coatings.
- The Construction Contractor shall require by contract specifications that construction operations rely on the electricity infrastructure surrounding the construction site, if available rather than electrical generators powered by internal combustion engines.
- The Construction Contractor shall require the use of alternative fueled, engine retrofit technology, after-treatment products (e.g., diesel oxidation catalysts, diesel particulate filters), and/or other options as they become available, including all off-road and portable diesel-powered equipment.
- The Construction Contractor shall require that construction equipment be maintained in good operation condition to reduce emissions. The Construction Contractor shall ensure that all construction equipment is being properly

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serviced and maintained as per the manufacturer's specification. Maintenance records shall be available at the construction site for City verification.

Mitigation Measure – AQ2 Operational Related Impacts

Prior to issuance of a grading permit, project applicants shall prepare and submit a technical assessment evaluating potential project operational air quality impacts (regional and localized) to the City for review and approval. The evaluation shall be prepared in conformance with South Coast Air Quality Management District (SCAQMD) methodology in assessing air quality impacts. If operation-related air pollutants are determined to have the potential to exceed the SCAQMD's adopted thresholds of significance, the City shall require applicants to incorporate all feasible mitigation measures to reduce air pollutant emissions during operational activities to below the applicable significance thresholds. The identified measures shall be included in construction plans. Mitigation measures to reduce operational emissions could include, but are not limited to the following:

- Increase in insulation such that heat transfer and thermal bridging is minimized;
- Limit air leakage through the structure and/or within the heating and cooling distribution system;
- Use of energy-efficient space heating and cooling equipment;
- Installation of electrical hook-ups at loading dock areas;
- Installation of dual-paned or other energy efficient windows;
- Use of interior and exterior energy efficient lighting that exceeds then incumbent California Title 24 Energy Efficiency performance standards;
- Installation of automatic devices to turn off lights where they are not needed;
- Application of a paint and surface color palette that emphasizes light and off-white colors that reflect heat away from buildings;
- Design of buildings with "cool roofs" using products certified by the Cool Roof Rating Council, and/or exposed roof surfaces using light and off-white colors;
- Design of buildings to accommodate photo-voltaic solar electricity systems or the installation of photo-voltaic solar electricity systems;
- Installation of ENERGY STAR-qualified energy-efficient appliances, heating and cooling systems, office equipment, and/or lighting products.
- Landscaping palette emphasizing drought tolerant plants;
- Use of water-efficient irrigation techniques;
- U.S. EPA Certified WaterSense labeled or equivalent faucets, high-efficiency toilets (HETs), and water-conserving shower heads.
- Applications for residential development projects within 1,000 feet of a major sources of Toxic Air Contaminants (TAC) (e.g., warehouses, industrial areas, freeways, roadways, and rail lines with traffic volumes over 10,000 vehicle per day), as measured from the property line of the project to the property line of the source/edge of the nearest travel lane, shall submit a health risk assessment (HRA) to the City. The HRA shall be prepared in accordance with policies and procedures of CEQA and the SCAQMD. If the HRA shows that the incremental cancer risk exceeds ten in one million (10E-06), PM10 concentrations exceed 2.5 microgram per cubic meter ($\mu\text{g}/\text{m}^3$), PM2.5 concentrations exceed 2.5 $\mu\text{g}/\text{m}^3$, or the appropriate noncancer hazard index exceeds 1.0, the applicant will be required to identify and demonstrate that mitigation measures are capable of reducing potential cancer and non-cancer risks to an acceptable level (i.e., below ten in one million or a hazard index of 1.0), including appropriate enforcement mechanisms. Measures to reduce risk may include but are not limited to:
 - Air intakes located away from high volume roadways and/or truck loading zones.
 - Heating, ventilation, and air conditioning systems of the buildings provided with appropriately sized maximum efficiency rating value (MERV) filters (e.g., MERV 13 or better).

Mitigation Measure AQ - 3 MERV 13 Filters

All residential projects shall be required to install air filtration systems with efficiencies equal to or exceeding a Minimum Efficiency Reporting Value (MERV) 13 as defined by the American Society of Heating, Refrigerating and Air Conditioning Engineers (ASHRAE) Standard 52.2.1

Mitigation Measure AQ - 4 Health Risk Assessment

HOUSING INCENTIVE OVERLAY (HIO) OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS

A site-specific HRA may be required for projects located nearer than 450 feet from the traveled roadway of I-5 or CA-91 or for projects not requiring the installation of MERV 13 or better air filtration systems.

1.7.2 Biological Resources

Mitigation Measures BIO-1 Pre-construction Nesting Bird Surveys

If it is not feasible to avoid the nesting bird season (typically January through July for raptors and February through August for other avian species), a qualified biologist shall conduct a pre-construction nesting bird survey for avian species to determine the presence/absence, location, and status of any active nests on or directly adjacent to the Project Site. If active nests are located, the extent of the survey buffer area surrounding the nest should be established by the qualified biologist to ensure that direct and indirect effects to nesting birds are avoided. To avoid the destruction of active nests and to protect the reproductive success of birds protected by the MBTA and the CFGC, the nesting bird survey shall occur no earlier than 15 days prior to the commencement of construction.

In the event that active nests are discovered, a suitable buffer (distance to be determined by the biologist) shall be established around such active nests, and no construction within the buffer allowed, until the biologist has determined that the nest(s) is no longer active (i.e., the nestlings have fledged and are no longer reliant on the nest).

1.7.3 Cultural Resources

Mitigation Measure CUL-1 Inadvertent Archaeological Discovery

If previously unidentified cultural materials are unearthed during construction, work shall be halted in that area until a qualified archaeologist can assess the significance of the find. If human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission (NAHC), which will determine and notify the Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC. The MLD may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.

Mitigation Measures CUL-2 Structures Greater than 50 years Old

Where development would involve the alteration or demolition of a structure greater than 50 years old, a historic evaluation by a Secretary of Interior's Standards for Architectural Historian or Historic Architect shall be provided to determine if the resource meets the definition of a Historic Resource as defined in CEQA Guidelines Section 15064.5. If the structure is determined to be a Historic Resource, any proposed alteration shall follow mitigation guidelines contained in CEQA Guidelines Section 15126.4(b). Mitigation standards may include, but are not limited to avoidance and preservation, conducting alterations in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties (including as applicable, standards for Preservation, Rehabilitation, Restoration and Reconstruction), and documenting resources. The approach to comply with these standards shall be prepared by an Architectural Historian or Historic Architect and provided to the City. Demolition and/or significant diminution of designated historic landmarks shall be prohibited.

Mitigation Measure CUL-3 Archaeological Resource Avoidance

Development shall be sited and designed to avoid adverse impacts to important archaeological resources to the maximum extent feasible. If there is no feasible alternative that can avoid impacts to important or unique archaeological resources, then the alternative that would result in the least adverse impacts to important or unique archaeological resources that would not result in additional adverse impacts to other resources shall be required.

1.7.4 Geological Resources

Mitigation Measure GEO-1 Geotechnical Investigation

Prior to issuance of a Grading Permit or Building Permit, a registered geotechnical engineer shall prepare a site-specific Geotechnical Investigation, which shall be submitted to the City Building and Safety Division for review and approval.

HOUSING INCENTIVE OVERLAY (HIO) OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS

Development projects shall incorporate the applicable recommendations provided in the project specific Geotechnical Investigation and other such measure(s) the City deems necessary. The report shall recommend pavement structural section of proposed streets and parking lots. If a WQMP is required, the report shall test and analyze soil conditions for LID (Low Impact Development) requirements, and the implementation of water quality for storm water runoff, including potential infiltration alternatives, soil compaction, saturation, permeability and ground water levels per the County of Orange Technical Guidance Document.

Mitigation Measure GEO-2 Inadvertent Paleontological Discovery

In the event that paleontological resources are discovered during ground disturbing activities, a qualified paleontologist shall document the discovery as appropriate, evaluate the potential resource, and assess the significance of the find under the criteria set forth in CEQA Guidelines Section 15064.5.

1.7.5 Hazards and Hazardous Materials

Mitigation Measure HAZ-1 Phase I Environmental Site Assessment (ESA)

Prior to issuance of a Grading Permit, a Phase I Environmental Site Assessment shall be prepared in accordance with ASTM Standards and Standards and Practices for AAI, in order to investigate the potential existence of site contamination. Any site-specific uses shall be analyzed according to the Phase I Environmental Site Assessment (i.e., auto service stations, agricultural lands, etc.). The Phase I Environmental Site Assessment shall identify Specific Recognized Environmental Conditions (RECs) (i.e., asbestos containing materials, lead-based paints, polychlorinated biphenyls, etc.), which may require remedial activities prior to construction. Development projects shall incorporate the applicable recommendations provided in the project specific Phase I ESA and other such measure(s) the City deems necessary.

Mitigation Measures HAZ-2 Asbestos Containing Materials and Lead Based Paint

Prior to structural demolition/renovation activities, should these activities occur, a Certified Environmental Professional shall confirm the presence or absence of ACM's and LBPs. Should ACMs or LBPs be present, demolition materials containing ACMs and/or LBPs shall be removed and disposed of at an appropriate permitted facility.

1.7.6 Noise

Mitigation Measure NOI-1 Construction Equipment Related Impacts

- Construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards, and all stationary construction equipment shall be placed so that emitted noise is directed away from the noise-sensitive use nearest the construction activity.
- The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receiver nearest to the construction activity.
- The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment. The contractor shall design delivery routes to minimize the exposure of sensitive land uses to delivery truck noise.

Mitigation Measure NOI-2 Noise Assessment within 50 feet of Sensitive Receptor

Prior to issuance of any construction permits, applicants for individual projects that are within 50 feet of a sensitive receptor, shall prepare and submit a study to evaluate potential operational-related stationary source noise impacts to the Planning Department. The noise report shall be prepared by an acoustical engineer using the ISO 9613-2 protocol in the CadnaA (Computer Aided Noise Abatement) computer program. If the study determines a potential exceedance of the City's thresholds (55 dBA Leq daytime, or 50 dBA Leq nighttime), measures shall be identified that ensure noise levels are reduced to below the thresholds. Identified measures shall be included on all construction and building documents and submitted for verification to the Planning Department.

Mitigation Measure NOI-3 Vibration Assessment within 25 Feet of Sensitive Receptor

Prior to issuance of any construction permits, applicants for individual projects that involve vibration-intensive construction activities, such as pile drivers, jack hammers, and vibratory rollers, within 25 feet of sensitive receptors (e.g., residences and fragile structures), shall prepare and submit to the Planning Department a study to evaluate potential construction-related vibration impacts. The vibration assessment shall be prepared by an acoustical engineer and be based on recognized vibration-

HOUSING INCENTIVE OVERLAY (HIO) OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS

induced architectural damage criterion. If the study determines a potential exceedance of the thresholds, measures shall be identified that ensure vibration levels are reduced to below the thresholds. Identified measures shall be included on all construction and building documents and submitted for verification to the Planning Department.

1.7.7 Traffic

Mitigation Measure TRAF-1 Traffic Memorandum

Project Applicants shall demonstrate that the proposed project will not adversely impact vehicle traffic on streets within the vicinity of the site by submitting a report demonstrating consistency with the City's most recent Traffic Impact Analysis Guidelines for Vehicles Miles Traveled (VMT) and Level of Service (LOS) assessment. If projects are consistent with the analysis, a Traffic Impact Study may not be required. If a proposed project exceeds what was analyzed in the City's most recent traffic analysis, a site-specific Traffic Impact Analysis may be required.

1.7.8 Tribal Cultural Resources

Mitigation Measure TCR-1 Tribal Consultation

Upon receipt of a project application, the City shall request consultation regarding the proposed development with any California Native American Tribe that is traditionally and culturally affiliated with the geographic area, as described in Section 21080.3.1 of the Public Resources Code, and contact the Native American Heritage Commission for assistance in identifying any California Native American Tribe. The City shall provide formal notice for each Tribe traditionally and culturally affiliated with the geographic area of the project site including the location and a description of the proposed development, and an invitation to engage in scoping consultation. The local government shall request that each tribe notify the City if it accepts the invitation to engage in consultation within 30 days, unless additional time is requested.

The local government must initiate consultation within 30 calendar days of a Tribe's acceptance of the invitation to engage in consultation. Consultation occurs between the City and the tribe(s) and must comply with the confidentiality requirements. Tribal consultation concludes either 1) upon documentation of an enforceable agreement regarding the treatment of tribal resources at the project site (Government Code §65913.4(b)(2)(D)(i)), or 2) one or more parties to the consultation, acting in good faith and after a reasonable effort, conclude that a mutual agreement cannot be achieved (Government Code §65913.4(b)(2)(D)(ii)). Tribal consultation was completed during the preparation of FEIR. However, until the FEIR is adopted, tribal consultation will be required for projects conducting separate CEQA analysis.

1.7.9 Water Quality and Hydrology

Mitigation Measure WQH-1 Water Quality Management Plan (WQMP)

Prior to issuance of grading or building permits, the applicant shall submit for approval, a Water Quality Management Plan (WQMP) specifically identifying Best Management Practices (BMPs) that will be used on site to control pollutant run-offs. This WQMP shall identify the structural and non-structural measures; detailing implementation of BMP's whenever they are applicable to the project. The design criteria and templates can be located on the City's website.

Mitigation Measure WQH-2 Waste Discharge Identification

Prior to the issuance of grading permit for projects that will result in soil disturbance of one acre or more of land, a copy of the Notice of Intent (NOI) and assigned Waste Discharge Identification (WDID) number from the State Water Resources Control Board shall be submitted to the City. Projects subject to this requirement shall prepare and implement a Stormwater Pollution Prevention Plan (SWPPP). A copy of the approved SWPPP by the State Water Resources Control Board shall be kept at the project site and be made available for the City upon request. The assigned WDID number must appear on the cover sheet of the grading plan.

1.7.10 RESERVED

1.7.11 RESERVED

CHAPTER 2. OVERLAYS AND USES

2.1 Housing Incentive Overlays Overview

The Housing Incentive Overlays (HIO) are comprised of six (6) housing Overlays. These Overlays include: **Mixed-Use Overlay-45, Mixed-Use Overlay-60, Mixed-Use Overlay-100, Housing Opportunities Overlay, Religious Congregational and Fraternal Overlay, and Hotel/Motel Conversion Overlay.** The Mixed-Use Housing Incentive Overlays focus on mixed-use, walkable and vibrant environments and range in function and intensity from primarily residential areas with a mix of lower intensity building types (MUO45, Mixed-Use Overlay-45), to moderate intensity neighborhoods (MUO60, Mixed-Use Overlay-60), to higher intensity neighborhoods (MUO100, Mixed-Use Overlay-100). The Housing Opportunities Overlay provides for higher density multi-family housing. The Religious Congregational and Fraternal Overlay allows faith-based organizations to build housing on sites owned by religious and faith-based institutions. The Hotel/Motel Conversion Overlay allows for the conversion of identified hotels/motels into interim or permanent supportive housing for veterans, individuals or families with special needs, and those formerly homeless. The MUO45, MUO60, MUO100, HOO, and RCFO shall provide at least 16 units on the site, as stipulated in Program 11 (Adequate Sites to Accommodate RHNA and Monitoring of No Net Loss) of the 2021-2029 Housing Element. A commercial component is required along at least 50% of the building frontage of proposed development that has a frontage on a Major and Primary highway identified in the General Plan Buildout Circulation Plan (Exhibit M-9) of the City's adopted General Plan. The FEIR analyzed a total of 10,322 units. If the number of units exceeds this total, separate CEQA analysis will be required.

HOUSING INCENTIVE OVERLAY

ILLUSTRATION

Mixed-Use Overlay – 45 (MUO45)

Intent: A walkable neighborhood environment with small-to-medium footprint, moderate-intensity housing choices, supporting and within short walking distance of neighborhood-serving retail, food, and services.

Density: Minimum 16 - up to 45 dwelling units per net acre (du/ac)

Intensity: 1.5 floor area ratio (FAR)

Height: Up to 5 stories or 55 feet in height



Mixed-Use Overlay – 60 (MUO60)

Intent: A walkable neighborhood environment with a medium footprint, high-intensity housing choices, supporting and within short walking distance of neighborhood-serving retail, food, and services.

Density: Minimum 16 - up to 60 dwelling units per net acre (du/ac)

Intensity: 1.0 floor area ratio (FAR)

Height: Up to 7 stories or 75 feet in height



HOUSING INCENTIVE OVERLAY (HIO) OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS

HOUSING INCENTIVE OVERLAY

ILLUSTRATION

Mixed-Use Overlay – 100 (MUO100)

Intent: A walkable neighborhood environment with a large footprint, very high-intensity housing choices, supporting and within short walking distance of neighborhood-serving retail, food, and services.

Density: Minimum 16 - up to 100 dwelling units per net acre (du/ac)

Intensity: 1.75 floor area ratio (FAR)

Height: Up to 9 stories or 95 feet in height



Housing Opportunity Overlay (HOO)

Intent: Facilitates higher-intensity affordable multi-family housing and aims to address the need for increased affordable housing options on sites already zoned for multi-family uses.

Density: Minimum 16 - up to 50 dwelling units per net acre (du/ac)

Height: Up to 5 stories or 55 feet in height



Religious Congregational and Fraternal Sites Overlay (RCFO)

Intent: Provides low-to-moderate intensity housing choices on sites owned by faith-based institutions.

Density: Minimum 16 - up to 40 dwelling units per net acre (du/ac)

Height: Up to 5 stories or 55 feet in height



Hotel/Motel Conversion Overlay (HMCO)

Intent: Facilitate the conversion of existing transient residential structures, such as hotels and motels, into permanent multi-family housing for lower-income households by establishing a regulatory framework for review of the location, configuration, design, and compatibility of the proposed use with surrounding uses and to ensure the suitability of the site for the proposed converted use as well as a high level of livability for residents.



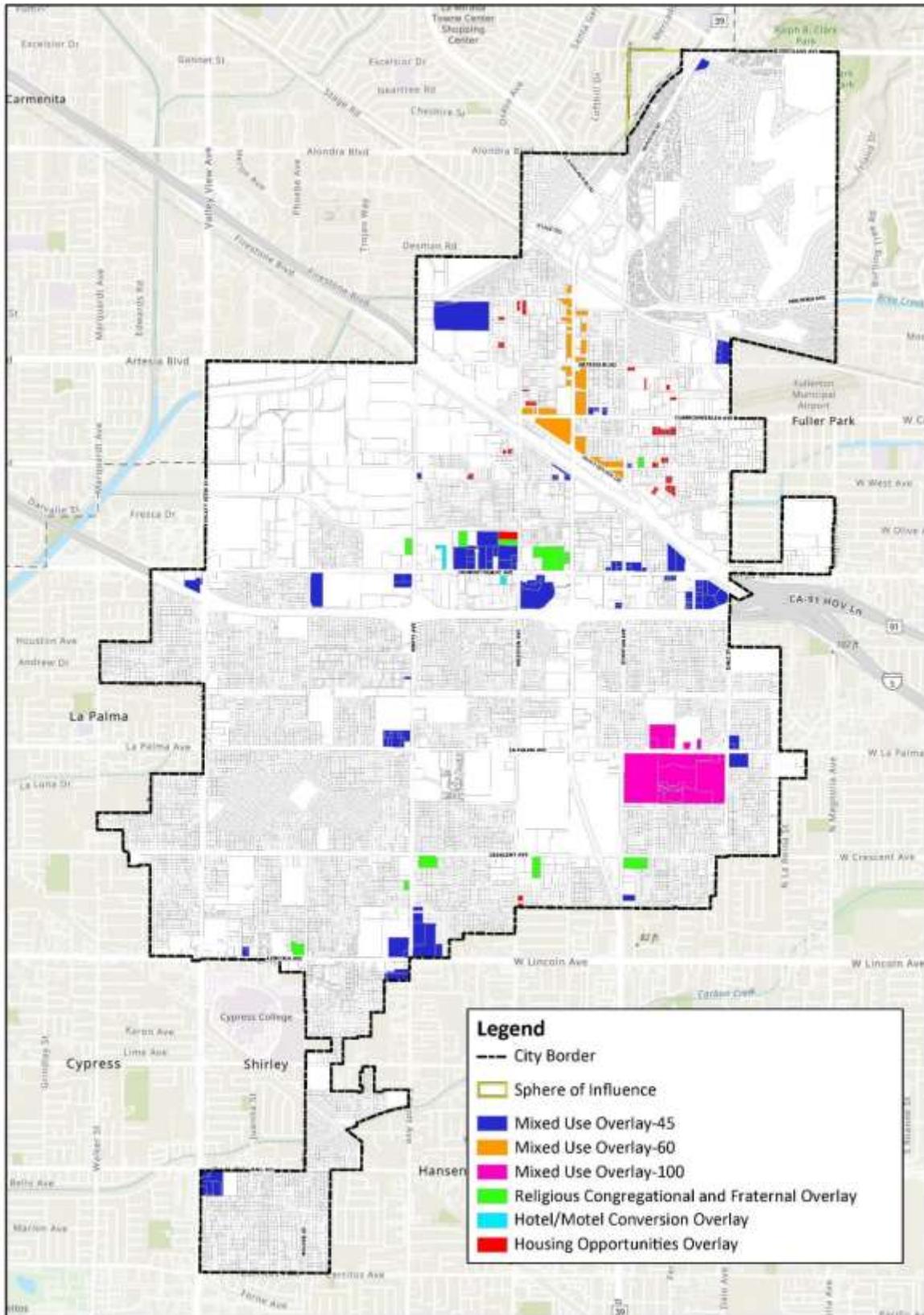
**The images provided in this Section are for illustrative purposes only.*

2.2 Housing Incentive Overlays Map

The Overlays established by this Section are mapped on [Figure 2.2-A \(Housing Incentives Overlay Map\)](#) and [Figure 2.2-B \(Zoning Map\)](#). If the Overlay no longer applies to a site, [Figure 2.2-A](#) and [Figure 2.2-B](#) shall be updated to reflect such changes.

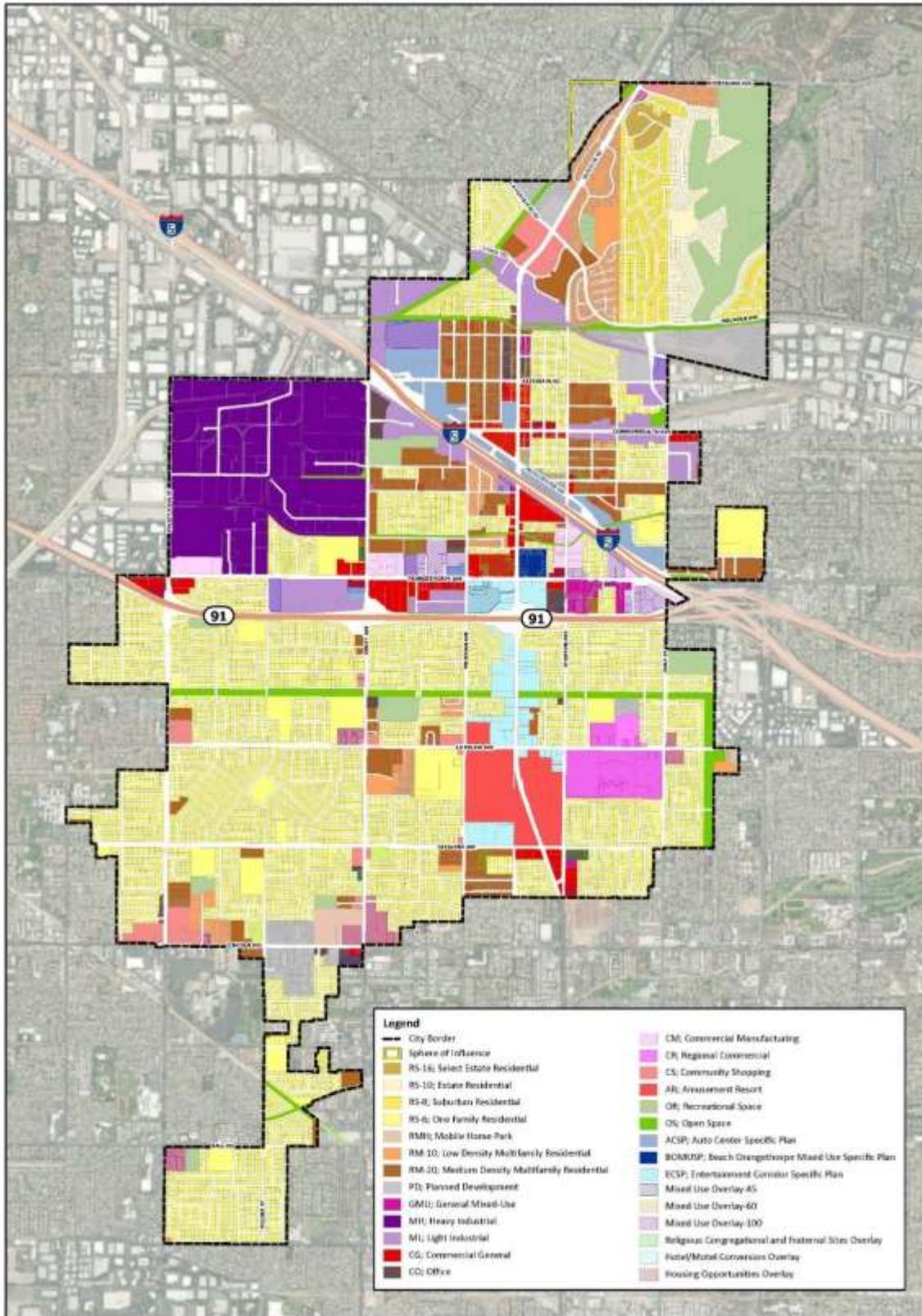
HOUSING INCENTIVE OVERLAY (HIO) OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS

Figure 2.2-A. Housing Incentives Overlay (HIO) Map



HOUSING INCENTIVE OVERLAY (HIO) OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS

Figure 2.2-B. Zoning Map



HOUSING INCENTIVE OVERLAY (HIO) OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS

2.3 Permitted Uses

This Section contains two (2) Permitted Use Tables; 1) Mixed-Use Overlays (Mixed-Use Overlay-45, Mixed-Use Overlay-60, and Mixed-Use Overlay-100), and 2) Multi-Family Residential Overlays (Housing Opportunities Overlay and Religious Congregational and Fraternal Sites Overlay). This Section does not contain any information pertaining to the permitted uses for the Hotel/Motel Conversion Overlay (HMCO). All objective development standards and design standards are located in Chapter 5 for the HMCO.

2.3.1 Mixed-Use Overlays Permitted Uses (MUO-45, MUO-60, MUO-100)

The three (3) Mixed-Use Overlays below emphasize residential uses and only allow a limited number of compatible services, amenities and commercial uses. The Mixed-Use Overlays are intended to accommodate a variety of affordable housing types, in a primarily residential setting supported by neighborhood-serving commercial. [Table 2.3.1 \(Permitted Use Table\)](#) identifies the uses permitted; the uses that are not permitted; and the uses subject to specific standards. Uses not listed in the table below are not permitted. The listed non-residential uses are only permissible when in conjunction with residential uses.

*Note: The Zoning Administrator shall have the authority to grant Conditional Use Permits (CUP), which may be subject to appeal to the City Council. A CUP shall be denied if affirmative findings based on the criteria in Section 19.128.020, Subsection E, are not made or conditions cannot be imposed to adequately mitigate any adverse impacts of the use.

Table 2.3.1 - Permitted Use Table (Mixed-Use Overlays)

Key:	"P" Permitted Use	"C" Conditional Use Permit	"I" Incidental	"-" Not Permitted	"*" Use Specification
Use	MUO45	MUO60	MUO100	Use Standard	Specification
Residential Uses					
<i>Household Living: uses characterized by residential occupancy of a dwelling unit that functions as a single household.</i>					
Dwelling, multi-family	P	P	P		
Live/Work Development	P*	P*	P*	Special use program	See Section 19.748.030
Home Day Care Facility	P*	P*	P*	In conjunction with; Permit required;	Dwelling Home Occupation Permit (See Section 19.448.040)
Supportive Housing	P*	P*	P*	Restricted affordability	100%
Transitional Housing	P	P	P		
<i>Group Living: uses characterized by residential occupancy by a group of persons who do not constitute a household.</i>					
Emergency Shelter	P*	P*	P*	Special use program	See Section 19.448.070
Group Home	P*	P*	P*	Special use program	See BPMC Chapter 5.70
Public, Institutional, and Community Uses					
<i>Community, Cultural, and Educational Facilities: uses generally of a public, quasi-public, nonprofit, or charitable nature providing a local service (e.g., cultural, educational, recreational, counseling, training, religious) directly to people of the community.</i>					
Club, Service Organization, or Community Center	I*	I*	P*	Use separation Size of facility (max.) Hours of Operation Upper story location	Residential; 100 ft. 1,000 sq. ft. 7:00AM to 10:00PM Prohibited
Community Garden	I*	I*	I*	Accessory use to; Size (max.) Location	Dwelling 20,000 square feet Setback at least 5 ft. from all property lines.
Family Day Care Center	I*	I*	P*	Persons in care (max.)	14
Indoor Fitness and Sports Facility, Large	C*	C*	C*	Size of facility (max.) Location Hours of operation	6,500 sq. ft. Ground floor only 6:00AM to 10:00PM
Indoor Fitness and Sports Facility, Small	P*	P*	P*	Size of facility (max.) Location Hours of operation	3,000 sq. ft. Ground floor only or accessory structure 6:00AM to 10:00PM
Library/Museum/Cultural Facility	C	C	C		

HOUSING INCENTIVE OVERLAY (HIO) OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS

Outdoor Recreation Area	P*	P*	P*	Size of facility (max.) Upper story location	10,000 sq. ft. Prohibited
Public Park/Open Space	P	P	P		
Public Safety Facility	P*	P*	P*	Government owned	Required
Public Security Center	P*	P*	P*	Accessory to;	Commercial or residential use
Religious Assembly	P	P	P		
Schools, Specialized Education and Training/ Studio	C	C	C		
Tutoring Center, Small	P*	P*	P*	Accessory to; Size of facility (max.)	Another allowed use. 15,000 square feet
<i>Health Care: uses providing health care services, including surgical or other intensive care and treatment, various types of medical treatment, and nursing care.</i>					
Alcoholic Treatment Center	C	C	C		
Adult Day Care	P*	P*	P*	Persons in care (max.)	14
Independent Living Facility	C	C	C		
Medical or dental laboratory	P*	P*	P*	Incidental to;	Medical/dental clinic
Medical or dental clinic	P*	P*	P*	In conjunction with;	Multi-tenant building
Pharmacy	P	P	P		
Optician	P	P	P		
<i>Transportation: uses associated with parking facilities.</i>					
Carport	P*	P*	P*	Accessory to;	Dwelling
Parking Lot	P*	P*	P*	Accessory to;	Dwelling
Parking Structure	P*	P*	P*	Accessory to;	Dwelling
<i>Utilities: uses associated with infrastructure necessary for the provision of services such as water, sewer, power, or communications. Excludes off-site transmission lines, pipes, or other systems for conveying and transmitting services within utility easements.</i>					
Minor utilities	P*	P*	P*	Screening	Required
Major utilities	P*	P*	P*	Approval Required Location	Public Works Department Corner lots only
Commercial Uses					
<i>Retail, Service, and Office Uses: establishments engaged in the sale, rental, and serving of goods, provision of professional services, financial institutions, routine business support, personal services, restaurants, and recreational activities for the community's enjoyment and convenience.</i>					
Alcoholic Beverage Sales	C	C	C		
Animal Grooming (No overnight boarding)	C*	C*	C*	Size of facility (min.) Location Hours of operation Use separation Restricted location	1,000 sq. ft. Ground floor only 8:00AM to 8:00PM Residential; 100 ft. Not allowed within a dwelling unit.
Art Studio/Gallery	P	P	P		
Antique and Collectible Shop	P	P	P		
Barber Shops/Beauty Salons	P	P	P		
Banks and Financial Services	P	P	P		
Business Support Services	P	P	P		
Catering Services	P*	P*	P*	Size of facility (min.)	1,000 sq. ft.
Child Day Care Facility		P	P		
Consignment Store	C	C	C		
Convenience Store	P*	P*	P*	Size of facility (max.)	10,000 sq. ft.
Costume Design and Sales	P	P	P		
Drive-In and Drive-Through Sales and Service	P*	P*	P*	Special use program	19.552.070
Furniture, Furnishing, and Appliance Store	P	P	P		
Garden Center/Plant Nursery	P	P	P		
Grocery Store/Supermarket, beer and wine	P	P	P		
Grocery Store/Supermarket, Liquor Sales	P	P	P		
Health Spa or Salon	P	P	P		
Home Improvement Supply Store	P	P	P		
Café	P	P	P		

HOUSING INCENTIVE OVERLAY (HIO) OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS

Interior Decorating Studio	P	P	P		
Laundromat, self-service	C	C	C		
Maintenance and Repair, Small Equipment	C	C	C		
Massage Establishment	C*	C*	C*	Special use program	19.552.130
Office, Business and Professional	P	P	P		
Photography Studio	P	P	P		
Restaurant, No Liquor Sales	P	P	P		
Restaurant, Beer and Wine	C*	C*	C*	Special use program	19.552.030
Restaurant, Full Liquor Service	C*	C*	C*	Special use program	19.552.030
Retail, General	P	P	P		
Retail, Dry-Cleaning Services	C	C	C		
Specialty Food Store	P	P	P		
Tattoo Shop	P	P	P		

Notes:

- Definitions of uses not provided in Section 19.104.080 are located in Chapter 6 (Definitions) of these Objective Design and Development Standards.
- Refer to Division 5 (Commercial and Industrial Zones) for development standards for commercial uses within a Horizontal Mixed-Use Developments.

HOUSING INCENTIVE OVERLAY (HIO) OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS

2.3.2 Multi-Family Residential Overlays Permitted Uses (HOO and RCFO)

The two (2) Multi-Family Residential Overlays below emphasize residential uses and only allow a limited number of compatible services and amenities. The Multi-Family Residential Overlays are intended to accommodate a variety of housing types, in a primarily residential setting supported by neighborhood-serving commercial uses. [Table 2.3.2 \(Permitted Use Table\)](#) identifies the uses permitted; the uses that are not permitted; and the uses subject to specific standards. Uses not listed in the table below are not permitted.

*Note: The Zoning Administrator shall have the authority to grant Conditional Use Permits (CUP), which may be subject to appeal by City Council. A CUP may be denied if affirmative findings based on the criteria in Section 19.128.020, Subsection E, are not made or conditions cannot be imposed to adequately mitigate any adverse impacts of the use. Definitions of uses not provided in Section 19.104.080 are located in Chapter 6 (Definitions) of these ODDS.

Table 2.3.2 Permitted Use Table (Multi-Family Residential Overlays)

Key:	"P" Permitted Use		"-" Not Permitted	"*" Specific Standard
Use	HOO	RCFO	Use Standard	Specification
Residential Uses				
<i>Household Living: uses characterized by residential occupancy of a dwelling unit that functions as a single household.</i>				
Dwelling, Multi-Family	P	P		
Home Day Care Facility	P*	P*	In conjunction with; Permit required;	Dwelling Home Occupation Permit
Supportive Housing	P*	P*	Restricted affordability	100%
Transitional Housing	P	P		
<i>Group Living: uses characterized by residential occupancy by a group of persons who do not constitute a household.</i>				
Emergency Shelter	P*	P*	Special use program	See Section 19.448.070
Group Home	P*	P*	Special use program	See BPMC Chapter 5.70
Religious Group Living		P*	In conjunction with;	Religious Assembly
Public, Institutional, and Community Uses				
<i>Community, Cultural, and Educational Facilities: uses generally of a public, quasi-public, nonprofit, or charitable nature providing a local service (e.g., cultural, educational, recreational, counseling, training, religious) directly to people of the community.</i>				
Club, Service Organization, or Community Center	P*	P*	Use separation Size of facility (max.) Hours of Operation Upper story location	Residential; 100 ft. 1,000 sq. ft. 7:00AM to 10:00PM Prohibited
Community Garden	P*	P*	Accessory use to; Size (max.) Location	Dwelling 20,000 square feet Setback at least 25 ft. from all property lines.
Indoor Fitness and Sports Facility, Small	P*	P*	Size of facility (max.) Location Hours of operation	3,000 sq. ft. Ground floor only or accessory structure 6:00AM to 10:00PM
Outdoor Recreation Area	P*	P*	Size of facility (max.) Upper story location	10,000 sq. ft. Prohibited
Public Park/Open Space	P	P		
Public Security Center	P*	P*	Accessory to;	Residential use
Religious Assembly		P		
<i>Transportation: uses associated with parking facilities.</i>				
Carport	P*	P*	Accessory to;	Dwelling
Parking Lot	P*	P*	Accessory to;	Dwelling
Parking Structure	P*	P*	Accessory to;	Dwelling
<i>Utilities: uses associated with infrastructure necessary for the provision of services such as water, sewer, power, or communications. Excludes off-site transmission lines, pipes, or other systems for conveying and transmitting services within utility easements.</i>				
Minor utilities	P*	P*	Screening	Required
Major utilities	P*	P*	Approval Required Location	Public Works Department Corner lots only

CHAPTER 3. DEVELOPMENT STANDARDS

3.1 Development Standards for Housing Incentive Overlays

The Development Standards provided in this Section are applicable to Mixed-Use Overlay-45, Mixed-Use Overlay-60, Mixed-Use Overlay-100, and residential development in the Housing Opportunities Overlay and the Religious Congregational and Fraternal Overlay, which are illustrated in [Sections 3.1.1 – 3.1.15](#). Table 3.1 below provides an overview of the development standards applicable to these Overlays.

Table 3.1 – HIO Development Standards Overview					
Development Standard	Mixed-Use Overlays			Multi-Family Overlays	
	MUO-45	MUO-60	MUO-100	HOO	RCFO
Density and Intensity					
Base Density	45 du/ac	60 du/ac	100 du/ac	50 du/ac	40 du/ac
Floor Area Ratio (FAR)	1.5 FAR	1.0 FAR	1.75 FAR	-	-
Minimum Site Dimensions					
Minimum Lot Size	21,780 sq. ft.	21,780 sq. ft.	21,780 sq. ft.	21,780 sq. ft.	15,000 sq. ft.
Minimum Lot Width	50 feet	50 feet	100 feet	45 feet	50 feet
Minimum Lot Depth	75 feet	75 feet	100 feet	75 feet	65 feet
Minimum Building Setbacks					
Front Yard Setback	10 feet	10 feet	15 feet	10 feet	10 feet
Side Street Setback	-	-	-	-	-
Main Building	10 feet	10 feet	15 feet	10 feet	10 feet
Accessory Building	15 feet	15 feet	20 feet	15 feet	15 feet
Side Yard Setback	-	-	-	-	-
Main Building	6 feet	6 feet	10 feet	6 feet	6 feet
Accessory Building	5 feet	5 feet	5 feet	5 feet	5 feet
Rear Yard Setback	-	-	-	-	-
Main Building	10 feet	10 feet	15 feet	10 feet	10 feet
Accessory Building	5 feet	5 feet	10 feet	5 feet	5 feet
Street Corner Setback (Arterial Streets/Outer Corner Treatments)	20 feet	20 feet	20 feet	15 feet	15 feet
Lot Coverage					
Maximum Lot Coverage	80%	80%	80%	80%	80%
Building Form					
Stories	5	7	9	5	5
To Highest Eave/Parapet	52 feet	72 feet	92 feet	52 feet	52 feet
Maximum Height (Overall)	55 feet	75 feet	95 feet	55 feet	55 feet
Ground Floor Height	-	-	-	-	-
Residential (min.)	9 feet	9 feet	9 feet	8 feet	8 feet
Non-Residential (min.)	15 feet	15 feet	15 feet	-	-
Open Space					
Minimum Open Space	16 – 200 total units: 150 square feet of usable open space per unit 200 or more total units: 100 square feet of usable open space per unit A minimum of 50% as common open space and the remaining 50% as either private or common open space.				
Parking					
Residential Uses					

HOUSING INCENTIVE OVERLAY (HIO) OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS

Studio or 1 bedroom	-	-	-	-	-
Vehicular Spaces	1 min. per unit				
Bicycle Spaces	0.5 min. per unit				
2-bedrooms	-	-	-	-	-
Vehicular Spaces	1.5 min. per unit				
Bicycle Spaces	0.5 min. per unit				
3 bedrooms or more	-	-	-	-	-
Vehicular Spaces	2 min. per unit				
Bicycle Spaces	0.5 min. per unit				

Non-Residential Uses

See Buena Park Municipal Code Section 19.536.040 – Parking Spaces Required.

Parking Setbacks

Front Yard	25 feet	25 feet	25 feet	35 feet	25 feet
Side Street	15 feet	15 feet	20 feet	15 feet	15 feet
Side Yard	5 feet				
Rear Yard	5 feet	5 feet	10 feet	5 feet	5 feet

Driveway

See Buena Park Municipal Code Section 19.536.030 – Driveway Standards for MUO-45, MUO-60, and MUO-100. See Buena Park Municipal Code Section 19.436.040 for HOO and RCFO.

Minimum Dwelling Unit Floor Area

Zero Bedroom Unit	450 square feet				
One (1) Bedroom Unit	600 square feet				
Two (2) Bedroom Unit	700 square feet				
Three (3) or More Bedroom Unit	800 square feet				

Building Encroachments

Architectural Features	Maximum 2.5 feet into minimum front yard, side street, side yard, and rear yard setbacks.
Unenclosed Stairways	Maximum 6 feet into minimum, side yard, and rear yard setbacks. Not allowed in front yard and side street setbacks.
Private Frontages	Maximum 5 feet into minimum front yard, side street, and rear yard setbacks. Not allowed in side yard setbacks.
Stairs/Ramps	Maximum 2 feet into minimum front yard, side street, and side yard setbacks. Maximum 5 feet into minimum rear yard setbacks.
Patio Covers	Maximum 5 feet into minimum side yard and rear yard setbacks. Not allowed in front yard or side street setbacks.

HOUSING INCENTIVE OVERLAY (HIO) OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS

3.1.1 General

1. Where any development standard is silent pertaining to Mixed-Use Development, the development standards provided for General Mixed-Use of the Buena Park Municipal Code (BPMC) shall prevail.
2. Commercial uses and development standards are subject to the provisions of Division 5 of Title 19 of the BPMC, unless stated otherwise herein.
3. Projects developed within the HIO shall comply with the most recent Orange County Fire Authority Guidelines for access, water and Architectural Guidelines.
4. All portions of proposed buildings above the first story shall maintain a minimum setback of twelve (12) feet from any overhead power lines.
5. **Project Design:**
 - a. Grading, storm drain, street, sewer, water, and erosion control plans shall be prepared by a Registered Engineer, at a minimum scale of 1" = 40', and on 24" by 36" sheets. Any proposed improvements shall be designed and constructed per City Standards. Any existing improvements in the public right-of-way, adjacent to project parcel frontage, that are not in compliance with the Americans with Disabilities Act (ADA) shall be removed and reconstructed or added to meet the ADA requirements and must comply with City Standards.
 - i. Projects within the flood zone of the Federal Emergency Management Agency shall be developed per Division II of Title 18 of the City Code.
 - ii. Street dedications including corner cutoff dedications to the City for the project frontage will be required per the Master Street Plan.
 - iii. Existing overhead utilities and poles along the project frontage shall be undergrounded or an in-lieu fee may be paid per the City's latest fee schedule. All new utilities to the project site shall be undergrounded.
 - iv. New streetlights along the project frontage shall be required every 150-feet unless already existing. Streetlights mounted on wooden poles shall be replaced with marblelite poles.
 - v. Trees and ground cover with an irrigation system shall be required within the parkway landscaping area along the project frontage. The species of tree to be planted will be determined by the Urban Forest Management Plan. The property owner shall be responsible for the maintenance of this landscaping area per Chapter 19.1112.070 of the Buena Park Municipal Code.
 - vi. Driveway approaches, sidewalks, curb, and gutter along the project frontage that are lifted, fractured or failing shall be removed and replaced per City standards.
 - vii. All vehicular access to the site shall be provided in locations approved by the Traffic Division. An emergency access within the project parcel shall be approved by the Orange County Fire Authority and an approved copy of the plan shall be submitted to the Engineering Division with the submittal of the grading plan.
 - viii. Traffic Impact fees shall be in accordance with City Resolution 9726 and the latest City Fee Schedule. Sewer, water, and stormwater impact fees shall be per the latest City Fee Schedule.
 - ix. A site distance analysis, prepared by a registered engineer, shall be submitted for approval for any structures that are substantial in size, such as monument signs, that are proposed adjacent to existing or proposed driveway.
 - x. Provide an engineering study for any proposed sewer and water connections to the City system. The study shall be prepared by a registered civil engineer for approval by the City Engineer. Any infrastructure upgrades necessary to meet the fire code or the domestic water capacity shall be mitigated by the developer. Easements shall be dedicated as needed to accommodate a new public water or sewer system. The proposed utility connections shall be made to the City water and sewer systems in accordance with the City Code, standards and applicable Federal, State and County regulations.

HOUSING INCENTIVE OVERLAY (HIO)

OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS

- xii. A double check detector assembly is required for domestic and fire service connections, and a reduced pressure principle device (RPPD) is required for irrigation service connection per City standards, and devices shall be supplied and installed by contractor. Contractors shall supply and install City approved water meters in the public right-of-way.
 - xiii. A hydrology and/or hydraulics study, prepared by a registered engineer, shall be submitted for approval when drainage is altered and/or there is a net increase of the stormwater for the proposed project. The storm drain system shall be designed and constructed for a minimum of a 25-year flood per the County of Orange standards. It shall be privately owned and maintained.
 - xiv. Easement shall be granted to the City when public water and sewer systems are installed within private land.
 - xv. All existing public facilities in conflict with new improvements shall be relocated at no cost to the City. The property owner shall dedicate or cause to be dedicated all easements needed to accommodate the relocation, modification or installation of facilities to be maintained by the City or any public utility company.
- b. Tract maps and parcel maps shall be prepared in accordance with the State Subdivision Map Act and Division I of Title 18 of the City Code. All improvements required to be completed by the applicant shall be in accordance with the City standards and specifications. All maps shall be concurrently reviewed by the City and the Orange County Survey Department. The applicant shall forward all plan check comments received from the Orange County Survey Department to the City for each plan check.

6. Permit Issuance:

- a. All fees, deposits, and bonds associated with improvements required by the Public Works Department shall be paid prior to the issuance of permits for construction. The fee amounts are specified in the City Fee Schedule.
- b. Before exercising any right or performing any obligation pursuant to any permit issued by the Public Works Department, the developer/contractor shall obtain a City Business License and submit required insurance certificates.
- c. A Transportation Hauling permit shall be obtained to operate or move a vehicle or combination of vehicles or special mobile equipment of a size or weight of vehicle or load exceeding the maximums specified in the California Vehicle Code (CVC) and the Caltrans Transportation Permit Manual.
- d. Prior to issuance of a grading permit, applicant shall record an approved WQMP that includes the Master Covenant & Agreement and an Operational Maintenance Plan with the Orange County Recorder's office. Two hard copies of the WQMP in 3-ring binders shall be provided to the City.
- e. Prior to final release of the project by the Public Works Department, or the refund of any cash deposits, the developer/contractor shall provide the City with a warranty bond to be held by the City for a period of one (1) year, for all public facilities and improvements.
- f. Prior to the grant of occupancy by the City or commencement for the approved use, all improvements required by the Public Works Department shall be completed.

7. Construction:

- a. A traffic control plan, prepared by a registered engineer, shall be submitted for approval for all utility connections, street improvements, and any other work performed in the public right-of-way that require a lane closure. A traffic control plan, prepared by a registered engineer, shall also be submitted for work on private property that results in lane closures.
- b. When more than one trench cut is made to install utility lines, then the street shall be either slurry sealed or grind and capped with AC to the nearest lane line of a trench cut from property line to property line. The method of replacing the pavement in kind or better shall be decided based on existing pavement condition.
- c. An Engineered Grading and Utility Certification shall be certified by the project engineer. Each phase of construction, fill and soil compaction, rough grading including pad elevations, final grading, utilities, and Water Quality Management Plan shall be certified by the project engineer and submitted to the City.

HOUSING INCENTIVE OVERLAY (HIO) OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS

- d. Applicant shall abandon any existing private water wells per the City and Orange County Health Department requirements.
- e. Prior to issuance of occupancy, applicant shall demonstrate all structural BMPs have been constructed in conformance with the approved WQMP.
- f. Any work on State Highway, Beach Boulevard from the I-5 Freeway to north City limit, shall require a Caltrans permit.
- g. The applicant/contractor shall be responsible for protecting all existing horizontal and vertical survey controls. Any survey controls disturbed during construction shall be reset per Orange County Surveyor Standards after construction.
- h. All trash collection services needed during construction or after project completion shall be obtained from the City's authorized provider.

3.1.2 Density and Intensity

- 1. The minimum density allowed within the HIO's is sixteen (16) du/ac.
- 2. Refer to Table 3.1 for the allowable base density for each Overlay. The Base Density is permissible with the provision of affordable units subject to Section 1.6.3 (Affordability Requirements) of these ODDS.
- 3. The Floor Area Ratio (FAR) applies to non-residential uses only, which are only permitted in the Mixed-Use Overlays.
- 4. Additional density pursuant to the Sate Density Bonus law may be permissible.

3.1.3 Minimum Site Dimensions

- 1. The minimum lot size for MUO-45, MUO-60, MUO-100, and HOO shall be 0.5 acres or 21,780 square feet. However, the minimum lot size for the RCFO shall be 15,000 square feet.
- 2. Lot line adjustment or lot mergers are allowed for projects with four (4) parcels or fewer.
- 3. If the minimum site dimensions cannot be achieved, lot consolidation of smaller lots into larger lots is encouraged. Up to one (1) incentive may be offered for the consolidation of existing small lots into a development project site of one (1) acre, but less than two (2) acres, and up to three (3) incentives may be offered for the consolidation of existing small lots into a development project site of over two (2) acres.
- 4. Table 3.1.3 identifies the administrative relief types and the required findings to support the adjustment.

Table 3.1.3 - Adjustments to Standards (Minimum Site Dimensions)

Administrative Relief Types	Required Findings to Support the Adjustment	Allowed Administrative Relief
Reduction in the minimum lot size.	<ul style="list-style-type: none"> 1. The parcel does not abut a parcel with the same Overlay. 2. The development can achieve at least 16 units on the project site. 	Up to 10% reduction in minimum lot size.
Reduction in the minimum lot width or lot depth.	<ul style="list-style-type: none"> 1. The adjustment accommodates an existing feature including, but not limited, to a tree or utility; 2. An existing or new design site can still be developed in compliance with the standards of the Overlay; and 3. The decrease to the minimum lot width or lot depth can provide at least 16 units on the project site. 	Up to 10% reduction from the lot width or depth.

HOUSING INCENTIVE OVERLAY (HIO) OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS

3.1.4 Minimum Building Setbacks

1. An additional ten (10) foot building setback is required when the parcel is adjacent to any single-family residential zone.
2. Sites over five (5) acres in size shall provide an additional five (5) feet per setback requirement for Primary Buildings.

Table 3.1.4 - Adjustments to Standards (Minimum Building Setbacks)

Administrative Relief Types	Required Findings to Support the Adjustment	Allowed Administrative Relief
Decrease the minimum front yard, side street, side yard, rear yard, or street corner setbacks for primary buildings or non-habitable accessory structures.	<ol style="list-style-type: none"> 1. Existing building(s) on adjacent lots on the same block face are less than the required setback; and 2. The variation will allow the proposed project to blend in with the adjacent building(s). 3. The proposed project does not abut any Single-Family Zone. 4. The project design maintains pedestrian safety and walkability. 	Up to 10% reduction from the Standard

3.1.5 Lot Coverage

1. Lot Coverage refers to the total area of those portions of a lot that are covered by buildings or structures. Lot Coverage includes the footprint of all buildings and structures including the primary building, accessory structures, covered parking, covered pool equipment units, utility sheds, etc.; projecting elements such as balconies, stairways, porches, patio covers, etc.; decks or other surfaces that exceed 2.5 feet above grade; roof overhangs or eaves that exceed three (3) feet (the portion that is beyond three (3) feet); and swimming pools and spas.
2. Lot Coverage excludes roof overhangs up to three (3) feet and uncovered structures less than 2.5 feet above grade.

Table 3.1.5 - Adjustments to Standards (Lot Coverage)

Administrative Relief Types	Required Findings to Support the Adjustment	Allowed Administrative Relief
Increase the maximum lot coverage.	<ol style="list-style-type: none"> 1. The building is consistent with the intent of the Overlay and all other applicable standards of the Overlay. 2. The Overlay is a Mixed-Use Overlay. 	Up to 10% increase in lot coverage.

3.1.6 Open Space

1. Refer to Section 4.1.6 for Objective Design Standards for Open Space.
2. The minimum distance between a Religious Facility building and residential units shall be fifty (50) feet.

Table 3.1.6 - Adjustments to Standards (Open Space)

Administrative Relief Types	Required Findings to Support the Adjustment	Allowed Administrative Relief
Reduction the minimum open space requirements.	<ol style="list-style-type: none"> 1. The building is consistent with the intent of the Overlay and all other applicable standards of the Overlay. 2. The project provides over 50% of affordable housing to low-income households. 	Up to 20% reduction in minimum open space requirement.

3.1.7 Building Form

1. Each story in excess of three (3), shall provide a minimum building setback of ten (10) feet for each additional story.
2. The maximum building height adjacent to existing residential shall not exceed four (4) stories or forty-five (45) feet in total height for development located within the MUO-45, MUO-60, HOO, and RCFO.
3. The maximum building height abutting existing residential shall not exceed four (4) stories or forty-five (45) feet in total height for development located within the MUO-100.

HOUSING INCENTIVE OVERLAY (HIO) OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS

Table 3.1.7 - Adjustments to Standards (Building Form)

Administrative Relief Types	Required Findings to Support the Adjustment	Allowed Administrative Relief
Increase in maximum height	<ol style="list-style-type: none"> 1. The project is not located within 50 feet of any existing residential zone. 2. The project provides over 50% of affordable housing to low- or moderate-income households. 3. The building is consistent with the intent of the Overlay and all other applicable standards of the Overlay. 4. The design maintains privacy for adjacent residential neighborhoods and is compatible with adjacent structures. 5. The project shall not create substantial shadows within the right-of-way, open spaces, or onto adjacent properties for more than three (3) hours between the hours of 9:00 a.m. and 3:00 p.m. Pacific Standard Time between late October and early April and four (4) hours between the hours of 9:00 a.m. and 5:00 p.m. Pacific Daylight Time between early April and late October. 	Up to a 20% increase in maximum allowable height.

3.1.8 Parking

1. For residential uses, the minimum parking requirements will not apply to sites located within one-half mile of a major transit stop pursuant to Assembly Bill (AB) 2097. A major transit stop includes a rail transit station or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.
2. Bicycle spaces shall not exceed 100 spaces per development, regardless of development size and location. Such spaces shall be distributed throughout the site. Bicycles may be parked anywhere on a lot, in compliance with pedestrian and vehicular access standards. The development must include the shortest walking and biking connection to a public sidewalk. Additionally, a designated track for convenient bicycle transportation along common stairs leading to the level where bike racks are located shall be provided. Refer to Figure 3.1.8.
3. Pursuant to Government Code Section 65913.6, through the construction of a Religious Facility with Affordable Housing, up to 50% of the required number of spaces for the existing, or proposed, religious facility can be eliminated, or reduced in the case of a plan for a new development. The remaining parking spaces can be shared between the Religious Facility and the proposed housing. The reduction in parking spaces would not reduce the minimum parking standards for the housing component to less than one (1) space per unit unless within proximity to public transit or a car share vehicle.
4. Parking spaces may be grouped with those on adjacent lots and may be detached from project sites within the same block, in compliance with parking setbacks and access standards.
5. Driveways may be shared between adjacent lots but shall not exceed maximum allowed width.



Figure 3.1.8 – Bicycle Transportation Track

HOUSING INCENTIVE OVERLAY (HIO) OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS

Table 3.1.8 - Adjustments to Standards (Parking)

Administrative Relief Types	Required Findings to Support Adjustment	Allowed Administrative Relief
Reduced parking standards for the Commercial Component of a Mixed-Use Development	<ol style="list-style-type: none"> 1. The building is consistent with the intent of the Overlay and all other applicable standards of the Overlay. 2. The design maintains privacy for adjacent residential neighborhoods and is compatible with adjacent structures. 3. The project shall not create substantial shadows within the right-of-way, open spaces, or onto adjacent properties. 4. The reduced parking requirements does not allow spillage of vehicles into adjacent neighborhoods. 	Up to 20% reduction of the Standard.
Reduction in the required parking setback.	<ol style="list-style-type: none"> 1. The adjustment accommodates an existing feature including, but not limited, to a tree or utility. 2. If accessed from the street, the driveway complies with the ODDS. 3. The ground floor space is in compliance with the ODDS. 	Up to 10% reduction of the Standard
Reduction of the number of parking stalls.	Standard parking stalls may be reduced in lieu of compact parking stalls.	Up to 10% reduction of the Standard.

3.1.9 Minimum Dwelling Unit Floor Area

1. Zero (0) bedroom units shall not exceed 25% of the total number of units in a mixed-use residential and/or residential only development.
2. An additional 100 square feet shall be added to the minimum dwelling unit floor area for each bedroom in excess of three (3).
3. Up to 15% of the minimum gross floor area may be in private balconies, porches, and patios. Attic and basement space, where the headroom is less than 6.5 feet, and garages and accessory buildings shall not be included as part of the required dwelling unit floor area.

3.1.10 Building Encroachments

1. Unenclosed stairways and landing places are allowed to project into any required setback a maximum distance of six (6) feet but not closer than three (3) feet from any property line. However, no unenclosed stairway or landing shall be allowed to encroach into any required setback area where such stairway provides access above the first story of any structure.
2. Stairs that are part of a private frontage may encroach into the setback an additional three (3) feet beyond the allowed encroachment of the private frontage but not into the public ROW.

3.1.11 RESERVED.

3.1.12 RESERVED.

3.1.13 RESERVED.

3.1.14 RESERVED.

3.1.15 RESERVED.

HOUSING INCENTIVE OVERLAY (HIO) OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS

3.2 Development Standards for Hotel/Motel Conversion Overlay

Development regulations shall be those of the underlying zone in which an existing hotel or motel is located to ensure that hotel conversions may be designed, located, and operated compatibly with uses on adjoining properties and in the surrounding area. The purpose of this Section is to provide for the orderly conversion of three (3) existing hotels which have primarily non-transient occupants to residential hotels designed to provide long-term residential use for families and the work force that are affordable and to provide needed transitional housing opportunities. Exceptions to the development standards and land use regulations of any zoning district as enumerated in this subsection shall be provided to incentivize the reuse of hotel, motels, and other transient lodgings for group home or quarters, SRO units, multi-family housing, supportive/transitional housing, or combination thereof. The standards are established to ensure that such use shall provide a suitable living environment for the tenants of the residential hotels, be compatible with surrounding land uses and protect the public health, safety and general welfare. For additional standards, see Chapter 5.

Table 3.3 – Hotel/Motel Conversion Overlay Development Standards

Development Standard	HMCO
Minimum Lot Size	There shall be no applicable minimum lot width, depth, or total lot size for hotel and motel conversions.
Residential Density	The resulting number of residential units after the conversion shall be no greater than the number of guest rooms in the existing hotel or motel.
Site Coverage	There shall be no maximum site coverage applicable for hotel and motel conversions.
Floor Area Ratio	The resulting floor area, as defined as 'Floor Area, Gross' in Section 19.104.080 of the Zoning Code, after conversion shall no more than 110% of the existing floor area of the hotel or motel being converted. Floor area added solely for the purpose of complying with the Building Code or life safety requirements shall not be counted for purposes of calculating the floor area ratio.
Height	Any increase in height resulting from hotel and motel conversions shall comply with the maximum height set forth in the underlying zone. The conversion of any existing hotel or motel to affordable housing pursuant to this Section shall not result in loss of legally nonconforming status with regard to building height.
Setbacks	Hotel and motel conversions shall not be subject to the setback requirements of the underlying zone. The conversion of any existing hotel or motel to affordable housing pursuant to this subsection shall not result in loss of legally nonconforming status with regard to setbacks.
General Unit Size and Building Requirements	<ul style="list-style-type: none"> • The general building and occupancy standards required in connection with group homes or quarters shall be not less than the amount set forth by Division 4 (Multi-Family Zones) of the Zoning Code. • The net area of a SRO unit may range from a minimum of 150 square feet to a maximum of 400 square feet. • Multi-family units shall meet the general building requirements of Division 4 (Multi-Family Zones) of the Zoning Code. The minimum size of a residential unit resulting from a hotel or motel conversion shall be the same as the minimum size of a SRO.
General occupancy requirements for group homes or quarters with beds, SRO units, or multi-family units.	<ul style="list-style-type: none"> • Common open spaces shall be designed to accommodate appropriate furnishings and shall be furnished for use by residents. Appropriate furnishings for indoor spaces may include lounge chairs or couches, tables with chairs, writing desks, and televisions. Outdoor furnishings may include outdoor benches, tables with chairs, barbecues, and shade coverings like arbors, patio covers, garden shelters, or trellises.

HOUSING INCENTIVE OVERLAY (HIO) OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS

- Laundry facilities must be provided within units or elsewhere on-site. If laundry facilities are provided as a shared provision, a minimum of two (2) washers and two (2) dryers must be provided in a separate room. Additional washers and dryers must be provided for any development that has more than 20 units at the ratio of one washer and one dryer for every 20 units or portion thereof.
- Each unit shall meet the standards for decent, safe, and sanitary dwelling units, as defined in Health and Safety Code and other applicable codes and regulations, and shall include all of the following:
 - A kitchen, including at a minimum a sink, garbage disposal, refrigerator, stove with oven and a counter top;
 - A separate bathroom, including at a minimum a sink, toilet, and shower
 - A closet for storage space

Common Areas and Open Space

All hotel and motels conversion shall include common areas with amenities such as seating, tables, barbecues, recreation areas or other related amenities. The size and nature of these common areas shall be approved by the reviewing authority pursuant to a Hotel Conversion Permit.

- Not less than 50 square feet of usable common areas and open space area shall be provided for each SRO unit. Group homes or quarters and multi-family units shall meet the general building and occupancy standards for open space areas.
- Shared bathrooms, laundry rooms, or kitchens shall not be considered as open space areas.

Landscaping

Minimum landscaped areas shall not be applicable to hotel and motel conversions. Additional landscaping screening shall be provided as necessary to visually buffer the proposed development from surrounding streets and properties, particularly residential properties, and may consist of any combination of landscaping, fencing, or other suitable method. The maximum height of walls and fences between the front property line and the occupancy frontage for hotel and motel conversions may be increased to six (6) feet, provided that such walls and fences are at least 50% open and are set back a minimum of three (3) feet from the front property line. The reviewing authority may approve deviations from any wall and fence requirements as part of the issuance of a Hotel Conversion Permit. A decorative masonry wall six (6) feet in height shall be constructed along any common property line between the subject property and any adjoining property containing a single-family use.

Parking

- The required parking for Hotel/Motel Conversions shall be at least one (1) parking space per residential unit. Should the existing parking at the site of the Hotel/Motel Conversion provide at least one (1) parking space per residential unit, then the Hotel/Motel Conversion shall maintain and not reduce the number of onsite parking spaces on the date of the formal submission of the Hotel/Motel Conversion application.
 - Reduced parking incentives. Notwithstanding the foregoing, should the Hotel/Motel Conversion offer and provide an eligible rideshare, shuttle, and/or bus pass program to residents, then the Hotel/Motel Conversion shall provide 0.5 parking space per residential unit. The Hotel/Motel Conversion shall agree to record a covenant to ensure that the eligible rideshare, shuttle, and/or bus pass program is offered to residents for as long as the Hotel/Motel Conversion remains.

HOUSING INCENTIVE OVERLAY (HIO) OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS

- With the exception of projects that allow only senior residents, projects that have less than one automobile parking space per unit shall provide one easily accessible space for storing and locking a bicycle per unit. For projects that provide one or more parking spaces per unit, at least one bicycle storage space for every three units shall be provided.

Signs	All hotel and motel conversions shall comply with the residential signage provisions of Division 9 (Sign Regulations) of the Zoning Code.
Lighting	All hotel and motel conversions shall comply with the provisions of Section 19.444.030 (Lighting) and Section 19.548.030 (Lighting) of the Zoning Code.
Affordability	If required as a component of the land use development request, there are two different approaches to maintaining long-term affordability that require signing an Affordable Housing Agreement: 1) the applicant agrees to maintain the designated dwelling unit as affordable for at least 45 years for for-sale units and 55 years for rental units; or 2) the applicant agrees to participate in a “shared equity purchase program.” The decision on which approach to use is up to the developer, except where state or federal standards applying to a given project require specific affordability periods. Under the long-term affordability program, the housing must remain affordable for at least 45 years for for-sale units and 55 years for rental units, from the original date of sale or rental. Affordability terms are secured by an affordable housing agreement, which shall be in a form approved by the City Attorney and recorded on the property prior to or concurrent with the initial occupancy (for rental units) or sale of the property.

CHAPTER 4. OBJECTIVE DESIGN STANDARDS

4.1 Site Design Standards

The following standards for site design are specific to the type of development project proposed. The three (3) development types are:

1. **Residential Only.** Residential-only projects are where the entire area of the parcel has a residential use. This development type is allowed within each of the six (6) Overlays.
2. **Horizontal Mixed Use.** Horizontal mixed-use projects are where a parcel has both commercial and residential uses on the ground floor on different parts of the site. The commercial use may be a proposed building(s) or an existing commercial building(s) on the same site. This development type is only applicable to MUO45, MUO60, and MUO100.
3. **Vertical Mixed Use/Residential Podium Projects.** Vertical mixed-use projects have commercial uses on the ground floor with residential uses above. Residential podium projects have parking on the ground floor or underground. The Vertical and Horizontal development types are similar, thus their design standards are grouped together. This development type is only applicable to MUO45, MUO60, and MUO100.

*All of the Objective Design Standards apply to each development type within the HIO's unless specified herein.



Vertical mixed-use project with residences above ground floor retail.



Multi-family residential only townhouse project



Horizontal mixed-use project with multi-family apartments adjacent to two (2) story retail.

HOUSING INCENTIVE OVERLAY (HIO) OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS

4.1.1 Site Entries

Intent: Provide a welcoming entry to the project and set the stage for a high-quality residential environment.

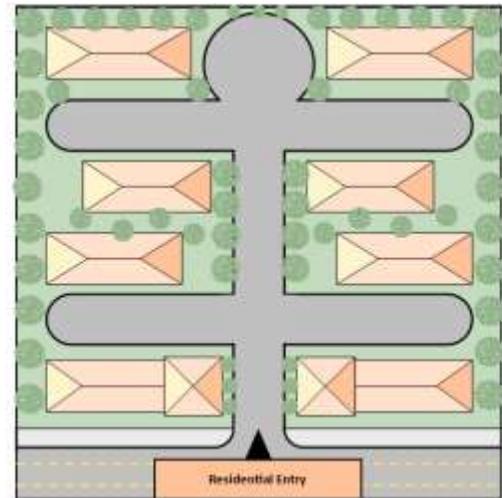
The following General Objective Design Standards for Site Entries apply to primary entrances, secondary entrances, new shared entrances, enhanced shared entrances, separate entrances, and vertical mixed-use/residential podium primary entrances. Additional Objective Design Standards apply to new shared entrances, separate entrances, and vertical mixed-use/residential podium primary entrances.

SITE ENTRY TYPES	ILLUSTRATION
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Primary Entrance. Primary entrances apply to **residential only developments**. At least one (1) entry into the site shall be developed as the primary entrance from the primary street.



Residential Entry



Secondary Entrance. A secondary entrance is an additional entry, in addition to the primary entrance or shared entrance, along a secondary street or side street. Secondary entrances may be applied to **all three(3) development types**.



Secondary Entry

HOUSING INCENTIVE OVERLAY (HIO) OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS

SITE ENTRY TYPES

ILLUSTRATION

Shared Entrances.

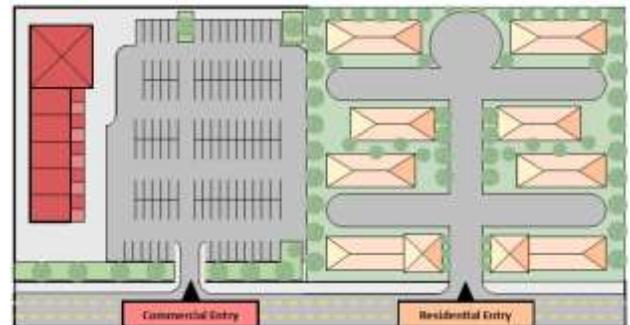
New Shared Entrances apply to **horizontal mixed-use developments** where there is a single primary entry point for commercial and residential uses, this new entry shall be developed as a shared entrance.

Enhanced Shared Entrances are for **existing commercial developments** that use an existing entry drive to access **new residential development**.



Shared Entry

Separate Entrance. Separate entrances apply to **horizontal mixed-use developments** where there is a separate primary entrance for commercial and residential uses, these entries shall be developed as a separate entrance.



Vertical Mixed-Use/Residential Podium Primary Entrance. Where a **vertical mixed-use or podium development** is proposed, the building is generally close to the street property line, and access to parking may be from a driveway directly into the building or within 30 feet of the building.



Podium Entry

HOUSING INCENTIVE OVERLAY (HIO) OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS

General Site Entry Objective Design Standards

Standard	Description
Sidewalks	A 5-foot minimum width sidewalk shall be provided on at least one (1) side of the site entry from the street curb. A sidewalk shall be provided on at least one side of all internal streets providing a safe pedestrian connection.
Street Lighting	Street lighting on poles 15 to 25 feet high shall be provided on at least one (1) side of the site entry from the street curb to a minimum of 50 feet inside the property line.
Landscaping and Street Trees	Landscaping and street trees shall be provided on both sides of the site entry from the street curb to a minimum of 50 feet inside the property line. Street trees shall be no more than 25 feet apart. Trees shall be a minimum of 24 gallons in size with a one-inch diameter at breast height (dbh). At least one specimen tree with a 24-inch or larger box size shall be planted in the landscaped area of the front yard setback.
Security Gates	Refer to Section 19.428.060 (Security Gate Standards) of the Buena Park Municipal Code.
Bicycle Facilities	Bicycle facilities in the development shall be provided as part of the site entry. These may be Class I separated bicycle paths, Class II bicycle lanes, Class III shared vehicle/bicycle lanes, or Class IV protected bicycle lanes
Curb and Gutter	Refer to Section 18.88.020 (Curbs and Gutters) of the Buena Park Municipal Code.



Landscaping and street trees are provided along both sides of the site entry and inside the property line on both sides of the building's exterior.



Multi-family vehicular access security gate is located no more than 20 feet from the building and is not view-obscuring.

HOUSING INCENTIVE OVERLAY (HIO) OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS

New Shared Entrance

Standard	Description
Independent Roadway	A shared entrance shall not lead directly into a parking lot for commercial or residential development, rather it shall be an independent roadway from any commercial or residential parking lot, with clearly marked entries into the commercial and residential parking lot from the shared entrance.
Signage	Signage for commercial or residential development adjacent to the shared entrance shall be in compliance with Section 4.5 (Signage Standards) and Division 9 (Signage Regulations) of the City of Buena Park’s Zoning Code.

Separate Entrance

Standard	Description
Driveway Widths and Clearances Compliance	If the separate entrance serves as a primary entry to commercial development, the Separate Entrance shall follow existing City of Buena Park’s Zoning Code Section 19.536.030 (Driveway Standards) for site entries to non-residential uses.
Signage and Landscaping	If the commercial development consists of an existing commercial building(s), the existing primary entrance into commercial uses shall be upgraded with new signage and landscaping for a minimum of 50 feet inside the property line. If existing paving is cracked, broken, or damaged, it shall be removed and replaced. Refer to Division 9 (Signage Regulations) of the City of Buena Park’s Zoning Code.

Vertical Mixed-Use/Residential Podium Primary Entrance

Standard	Description
ADA Compliance Standards	Driveways shall meet Americans with Disability Act (ADA) accessibility standards where they cross the public sidewalk.
Pedestrian Entries Standards	At least one (1) pedestrian entry shall lead directly from the sidewalk to the following: <ul style="list-style-type: none"> • Doors leading to each commercial space (Vertical Mixed-Use projects only). • Doors leading to an amenity space such as a courtyard, plaza, open space, or seating area. • Doors leading into ground-floor lobbies for residential units above.

HOUSING INCENTIVE OVERLAY (HIO) OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS

4.1.2 Street Frontages

Intent: Activate and create visual interest along street frontages in order to enhance the public realm.

General

Standard	Description
Landscaped Buffer Standards	All residential projects, except Vertical Mixed-Use projects, shall provide a minimum 5-foot-wide landscaping buffer between the sidewalk edge and the building edge.
Maximum Width	The maximum width of the parking area within the required front setback, including driveways, open parking, carports, and garages, but excluding underground parking and parking located behind buildings, shall not exceed 25% of the linear street frontage.
Entry Doors	At least one (1) entry door to the residential project at ground level shall face the primary frontage. An exception shall be made for buildings with a courtyard facing the street, where a door may face onto the courtyard.
Surface Parking Location	Along the Primary Frontage, surface parking shall be located behind the building, to the rear, or to the side. An exception shall be made for accessible parking.
Carports and Tuck-Under Parking	Carports and tuck-under parking shall not be visible from a primary street.
Fencing (Primary Street or Shared Entrance)	No fence, tree, shrub, or other obstruction to sight be above 7 feet in height shall be placed closer than the building wall nearest to the street. Refer to Section 19.436.030 (Vision Clearance) of the Municipal Code.
Parking Location	No more than one (1) aisle of parking (66 feet) is allowed between the secondary frontage and the street.
Fencing (Secondary Street)	Fencing may be placed along the property line at the secondary frontage if it allows transparency through the use of decorative metal (i.e., wrought-iron) and does not create a sight distance obstruction. No chain link fencing is allowed. No solid fencing shall be placed closer to the street than the closest building wall. An exception shall be made for service areas such as trash, utilities, or loading areas.



Residential entry door located at the ground level along the primary street frontage.



Landscaped buffer located along the primary street frontage.

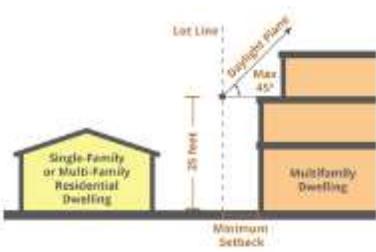
HOUSING INCENTIVE OVERLAY (HIO) OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS

4.1.3 Sensitivity to Adjacent Uses

The following standards provide sensitivity to adjacent uses when projects are adjacent to residential or commercial and industrial development. This will ensure that new residential development is harmonious with neighboring residential development, and that new residential development is not negatively affected by existing commercial development.

Intent: For projects adjacent to existing residential properties of no more than two (2) stories, apply design measures that preserve privacy and daylight for residents of those properties, and minimize additional vehicle circulation and parking on existing residential streets.

Adjacent to Existing Single-Family Residential Uses

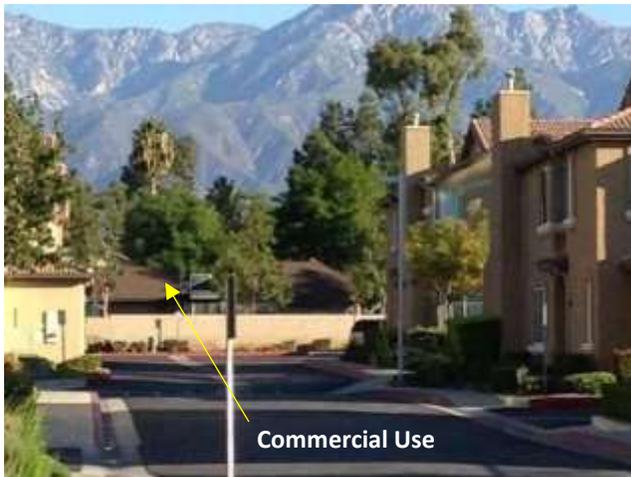
Standard	Description
Windows	Windows facing residences within 15 feet of the property line shall be arranged, or designed to not create views into adjacent residences. Examples of privacy options include using translucent or louvered windows, creating offset window patterns, and locating windows 5 feet above the floor level. Alternatively, views into adjacent residential shall be screened with dense landscaping between the new development and existing residential property (i.e., <i>Callistemon citrinus</i> (<i>lemon bottlebrush</i>), <i>Rhamnus alaternus</i> (<i>Italian buckthorn</i>), or <i>Pittosporum tenuifolium</i> (<i>kohuhu</i>)) at a minimum mature height of 8 feet.
Daylight Plane	<p>No portion of the building volume shall encroach into a daylight plane starting at a point that is 25 feet above the property line abutting any adjacent lot with an existing single-family or multifamily residential dwelling of two stories or less and sloping upward at a 45-degree angle toward the interior of the lot.</p> <div style="display: flex; align-items: center;">   </div>
Parking	Parking for residents, visitors, and/or employees shall be accommodated onsite in garages, parking areas, or along internal streets to minimize spillover to adjacent residential neighborhoods. Parking and loading/unloading areas shall not create stacking/queuing issues at ingress/egress points.

HOUSING INCENTIVE OVERLAY (HIO) OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS

Adjacent to Commercial and Industrial Uses

Intent: For projects adjacent to commercial development, apply design measures that promote attractive residential frontages and adequate visual separation for new residential development adjacent to existing and/or future commercial development.

Standard	Description
Separation Buffer	<p>At the edge of residential development immediately abutting commercial/industrial development and parking areas, one (1) or both of the following shall be provided as separation:</p> <ul style="list-style-type: none"> • A driveway or private street with curb, gutter, and landscape on both sides. • A minimum 5-foot-wide continuous landscape barrier with fencing a minimum of six feet high. No chain link fencing is allowed.
Fencing	<p>At the edge of residential development immediately abutting commercial development and parking areas, fencing provided shall have at least one (1) passageway for pedestrians to access the commercial development directly. This passageway may be locked and accessible to residents and safety providers only.</p>
Gates	<p>At the edge of residential development immediately abutting commercial development and parking areas, a gate providing emergency vehicle access may be provided where required by emergency providers. The gate shall be visually permeable to allow views in and out from the access way. No chain link is allowed for the gate</p>



Multi-family development abutting commercial uses provides a fence at the edge of the residential development with a private street with curb, gutter, and landscape on both sides.



Landscaped buffer at the edge of the residential development with a minimum 6-foot-high fence from grade.

HOUSING INCENTIVE OVERLAY (HIO) OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS

4.1.4 Access and Parking

Intent: Provide convenient and well-connected access for vehicles into and through the development, and safe and pleasant pedestrian connections into and throughout the development. Minimize the public view of parking and enhance the appearance of parking facilities.

Vehicle Access

All projects shall meet the requirements of 4.1.1 (Site Entries) in addition to the standards provided below.

Standard	Description
Internal Circulation for Multi-Family Developments	In residential rental apartment and condominium developments with multiple buildings, parking areas shall be accessed through a network of internal streets.
Internal Circulation for Townhouses	In townhouse developments, internal circulation shall be via one (1) or more internal streets connecting to alleys where garages are located.
Podium Parking Access	In podium projects where parking is underneath (i.e., underground or on-grade/single story) residential development, access for parking shall provide visibility or other safety features (e.g., mirrors, cameras, or audible signals) to minimize pedestrian/vehicle conflicts.



Internal Circulation for Townhouses with garage access.



Podium Parking Access located through a parking lot, not visible from the primary street.

HOUSING INCENTIVE OVERLAY (HIO) OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS

Parking Design

Standard	Description
Location	Surface parking areas shall be located within the development and not along primary frontages. An exception may be made for accessible parking and visitor parking.
Visitor Parking	Where internal street networks are provided, visitor parking shall be permitted as on-street parking on the internal street with sufficient street width to accommodate parallel parking spaces.
Screening	Parking along other frontages visible from public streets are allowed if screened from view up to 42 inches from the ground plane by landscaping, rolling earth berms (2:1 slope), screen walls, landscaped fencing, or changes in elevation.
Parking Courts	Parking areas shall be divided into a series of connected smaller parking courts separated by landscaping.
Carports	Where a detached carport is proposed within a residential development, shall be located within the side or rear yard of the building setback. Carports shall be a minimum of 10 feet from the primary building and at least 5 feet from the side or rear property line. Carports shall be painted to match the primary building and trim colors.



Parking Court provided within a multi-family development.



Detached carport design matches the primary building colors.

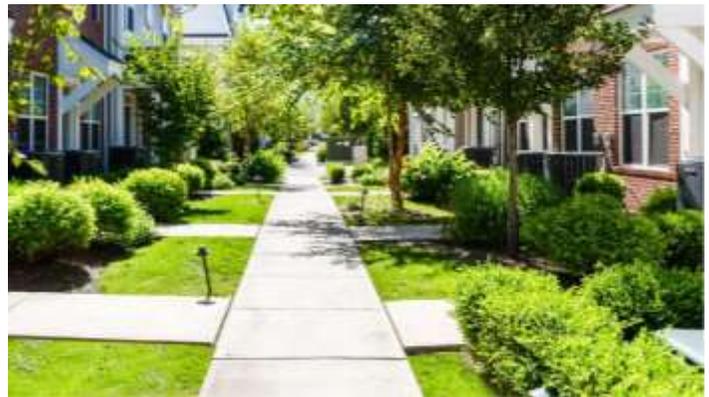
HOUSING INCENTIVE OVERLAY (HIO) OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS

Pedestrian Access and Bicycle Access and Parking

Standard	Description
Pedestrian Walkways	A pedestrian walkway shall be provided connecting surface parking areas to main entrances of buildings and the public sidewalk. The walkway shall be clearly marked (e.g., special paving or coloring).
Pedestrian Connections	Pedestrian connections shall be incorporated to connect between adjoining residential and commercial uses for mixed-use projects. All development types shall provide internal pedestrian connections throughout the project site. Internal pedestrian connections is a system of pedestrian walkways that connects to all buildings on a site, to on-site and street parking areas, on-site open space areas, and pedestrian amenities.
Landscaped Buffer	Walkways shall not be located directly against a building façade but buffered with a landscaped planting area 5-feet wide to provide privacy of nearby residences or private open space.
Bicycle Parking	Secure, covered bicycle parking in all residential projects shall be provided.
Bicycle Parking for Podium Projects	For podium projects with commercial ground floors, bicycle racks shall be provided in public view, within 50 feet of building entrances, not blocked by other street furniture or landscaping, and lit by external light sources.



Internal pedestrian connections providing access to each building on the lot.



Landscaped buffer provided for walkways to each unit.

HOUSING INCENTIVE OVERLAY (HIO) OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS

Residential Garage Parking

Standard	Description
Street Frontage	Garage doors may occupy no more than 40% of a building's street frontage and shall be recessed a minimum of 1.5 feet from a street-facing wall plane.
Design	<p>Street-facing garage doors serving individual units that are attached to the structure must incorporate at least one (1) of the following so that the garage doors are visually subservient and complementary to other building elements:</p> <ul style="list-style-type: none"> Garage door windows or architectural detailing consistent with the main building. Arbor or other similar projecting feature above the garage doors. Landscaping occupying 50% or more of driveway area serving the garage (e.g., "ribbon" driveway with landscaping between two parallel strips of pavement for vehicle tires)
Interior Dimensions	Refer to Section 19.436.070 (Residential Parking Dimensions and Layout) of the Municipal Code. Each garage space shall be equipped with an automatic door opener and a roll-up sectional or similar garage door which does not extend onto the apron. For attached private garages, the design shall include adequate space for waste/solid storage and a water heater unit in addition to the minimum dimensions.



Garage doors and driveways provided along the street frontage



Projecting feature located above the garage door.

HOUSING INCENTIVE OVERLAY (HIO) OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS

4.1.5 Service Access, Trash, and Storage Facilities

Intent: Provide convenient service access to residential developments. Design and locate trash and storage facilities so that they are not visually obtrusive.

Standard	Description
Access to Loading and Service Areas	Loading and service areas shall be concealed from view or shall be located at the rear of the site.
Trash Enclosures	Refer to the Municipal Code Section 19.724.010 (Trash Storage Facilities) for mixed-use developments and Section 19.424.010 (Trash Storage Facilities) for residential only developments.
Screening	When loading docks, utility equipment, and similar uses are visible from a street, adjacent commercial development or a neighboring property, they shall be screened using matching materials and/or landscaping with the primary building and surrounding landscaping. Trash enclosures shall be screened on at least 3 sides by a solid wall at least 6 feet in height.



Trash area provided within an enclosure and screened from view.



Utility equipment visible from the side street screened on 3 sides.

HOUSING INCENTIVE OVERLAY (HIO) OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS

4.1.6 Open Space Areas

Intent: Provide well-designed communal open space areas that are centrally located and designed as “outdoor rooms” with opportunities to relax, socialize, and play. For-sale projects shall clearly assign maintenance duties to the Home Owners Association within their CCRs. The CCRs shall be reviewed and approved by the City Attorney and City staff prior to recordation.

General

Standard	Description
Minimum and Type of Open Space	All multi-family and mixed-use residential developments under 200 units in total shall provide a total of 150 square feet and developments over 200 units shall provide 100 square feet of usable open space per unit with a minimum of 50% as common open space and the remaining 50% as either private or common open space. Every development that includes 5 or more residential units shall provide at least one (1) common open space area. Off-street parking and loading areas, driveways, and service areas shall not be counted as usable open space.
Location	Open space areas shall not be located directly next to arterial streets, service areas, or adjacent commercial development to ensure they are sheltered from the noise and traffic of adjacent streets or other incompatible uses. Alternatively, a minimum of 10 feet of dense landscaping shall be provided as screening between the open space area and arterial street, service area, or commercial development.
Useability	Open space surfaces shall include a combination of lawn, garden, flagstone, wood planking, concrete, or other serviceable, dust-free surfacing.

Common Open Space

Standard	Description
Minimum Dimensions	Common usable open space located on the ground level shall have no horizontal dimension less than 15 feet. Common upper-story decks shall have no dimension less than 10 feet. Roof decks shall have no horizontal dimension less than 15 feet, and no more than 20% of the total area counted as common open space may be provided on a roof.
Visibility	At least one (1) side of the common open space shall border residential buildings with transparent windows and/or entryways.
Pedestrian Walkways	Pedestrian walkways shall connect the common open space to a public right-of-way or building entrance.
Seating	All common open spaces shall include seating. Site furniture shall use graffiti-resistant material and/or coating and skateboard deterrents to retain the site furniture’s attractiveness.
Amenity Features	Amenity features within common open space areas shall include at least three (3) of the following: <ul style="list-style-type: none"> • Swimming Pool and/or Spa • Tot lot, children’s playground/play area • Plaza • Picnic areas with tables and chairs • Community garden • BBQ grills and/or picnic stations • Fire pits

HOUSING INCENTIVE OVERLAY (HIO) OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS

- Pocket dog park
- Shade structures or pergolas
- Outdoor chess/checkers boards
- Public art walls or murals
- Recreational courts (i.e., basketball, tennis, pickle ball)
- Indoor fitness center
- Outdoor fitness stations
- Open lawn area that includes shade, seating, and tables.

**Any amenity feature not listed above shall be reviewed by the Community and Economic Development Director for consistency with the intent of this requirement.*

Laundry Facilities

If a laundry area is not provided in every unit, a common laundry area shall be provided with a minimum of one (1) washer and one (1) dryer for every eight (8) units. Common laundry areas shall be centrally located to the units to be served.

Play Areas

Developments that include 15 or more units of at least one (1) bedroom or more must include children's play areas and play structures. Play areas shall provide shaded seating areas for parental supervision, such as benches under tree canopies or in close proximity to group picnic areas. Seating shall be designed to meet ADA requirements and shall be designed or located to discourage skateboard damage. This requirement does not apply to 100% senior housing developments.



Openness and Buildings

There shall be no obstructions above the open space except for devices to enhance the usability of the space. Buildings and roofed structures with recreational functions (e.g., pool houses, recreation centers, gazebos) may be counted as common open space.

HOUSING INCENTIVE OVERLAY (HIO) OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS

The use of plazas that serve as a community-wide focal point for commercial activities for horizontal mixed-use and vertical mixed-use developments are allowed. The plaza shall be no less than 50 ft. x 50 ft. in size and shall have a street located on at least one (1) side of the Plaza. A minimum 10% landscape requirement applies.

Plazas



- An Accessory Structure such as a shed, greenhouse, hoophouse, or similar is allowed in compliance with the underlying zones Accessory Uses Standards.
- The maximum size for a community garden shall be 20,000 sq. ft.
- Underground utilities and easements may prohibit community garden location in some areas.
- A perimeter fence at least 4 feet in height enclosing the entire community garden area.

Community Garden



At least 3 fitness stations shall be provided either grouped together or along a walkway or trail. Exercise/fitness stations on walkways should be between 50 and 200 yards apart. All outdoor fitness areas shall be ADA accessible. Fitness stations shall be durable and vandal resistant equipment for uses of all ages and fitness levels. All exercise/fitness equipment/stations shall be installed on concrete pads pursuant to manufacturer specifications.

Outdoor Fitness Stations



HOUSING INCENTIVE OVERLAY (HIO) OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS

Pocket Dog Parks

Pocket dog parks shall be less than 0.5 acre and provides a common area for dogs of all sizes. Turf grass is required. Dog park amenities shall include at least one (1) drinking fountain with standard, ADA accessible, and dog bowl height fixtures; dog waste bags dispenser(s); at least two (2) garbage receptacles, and a shade structure over seating area. A perimeter fence at least 4 feet in height around the pocket dog park is required. If the pocket dog park is located near parking, the perimeter fence shall be 6 feet. Fencing shall be wrought-iron, however the spacing of the vertical pickets, must be close enough at the bottom 2 feet of the fence such that small or narrow dogs cannot escape.

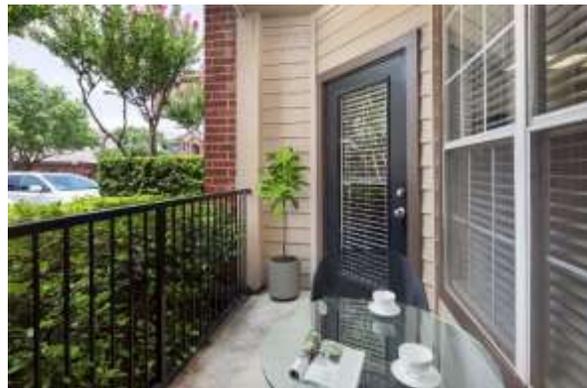


Private Open Space

Standard	Description
Minimum Dimensions and Type of Private Open Space	Private usable open space located on the ground level (e.g., yards, decks, patios) shall have no horizontal dimension less than 10 feet. Private open space located above ground level (e.g., porches, balconies) shall have no horizontal dimension less than 6 feet. No storage of any kind other than patio furniture, and decorative elements including plant materials shall be allowed within porches and balconies.
Accessibility	Private usable open space shall be accessible to only one (1) living unit by a doorway or doorways to a habitable room or hallway of the unit.
Openness	Above ground-level space shall have at least one (1) exterior side open and unobstructed for at least 8 feet above floor level, except for incidental railings and balustrades.



Private usable open space provided as balconies located above the ground.



Private usable open space located on the ground level provided as a patio.

4.1.7 RESERVED.

4.1.8 RESERVED.

4.1.9 RESERVED.

4.1.10 RESERVED.

HOUSING INCENTIVE OVERLAY (HIO) OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS

4.2 Building Design Standards

4.2.1 Building Massing and Articulation

Intent: Design buildings to have various points of visual interest through architectural detailing, especially at the pedestrian level, and avoid creating a building with a bulky or monolithic appearance.

General

Standard	Description
Massing Breaks	<p>Building massing shall be articulated to reduce apparent bulk and size. All street-facing facades shall include at least one (1) change in plane (projection or recess) at least 4 feet in depth, or 2 changes in plane at least 2 feet in depth, for every 50 linear feet of wall. Such features shall extend the full height of the respective façade of single-story buildings, at least half of the height of two-story buildings, and at least two-thirds of the height of buildings that are 3 or more stories in height.</p> 
Horizontal Stepback	<p>Buildings over 3 stories tall shall be designed with a horizontal stepback, at a minimum of 6 feet deep, from the front façade above the third floor. The stepback area may be used for residential terraces. Towers or other similar vertical architectural features do not require a stepback but shall not occupy more than 20% of the front façade.</p>
Architectural Styles Design	<p>The Architectural Design Styles are located as a separate document. The Architectural Design Styles apply to all new development and any façade renovations that propose a change to any of the following: wall finishes, window trim finishes, roof materials, size of opening(s), architectural detail(s). To encourage variety in design, projects with more than 8 buildings shall utilize more than one (1) architectural style.</p>
Architectural Detail and Design Features	<p>Building walls along the street frontage shall have architectural detail (e.g., brackets, rafter tails, or dentils) at the cornice or roof eave. Architectural design features such as window treatments, awnings, moldings, projecting eaves, dormers, and balconies, shall be continued or repeated upon all elevations of a building facing a primary or secondary street, or a common open space.</p>

HOUSING INCENTIVE OVERLAY (HIO) OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS

Façade Articulation

Buildings of 4 stories or more shall have a clearly defined base and roof edge so that the façade has a distinct base, middle, and top. Elements to articulate a building’s façade shall include:

- The top of the building shall have one (1) or more of the following: a cornice line with minimum 6-inch overhang; a parapet with minimum 6-inch cap; eaves with brackets or other detailing; upper floor setbacks; and/or sloped roof forms.
- The middle or body of the building shall have a façade made up of regular components including one or more of the following: consistent window pattern; repeating bay windows; regularly spaced pilasters; recesses; or other vertical elements.
- The base of the building shall have one or more of the following: recessed ground floor; a continuous horizontal element at the top of the ground floor; and enhanced window or entry elements such as awnings or canopies. Where pedestrians have access to the base of the building, high quality, durable, and easy to clean materials and finishes shall be used, such as stone, brick, cementitious board, glass, metal panels, and troweled plaster finishes.
- The elements comprising the base, middle, and top to the building may be interrupted by a protruding vertical element such as a tower, or a recessed vertical element such as a massing break, an entry, or a courtyard.



Rooflines

Rooflines shall be segmented and varied within an overall horizontal context. Roofline ridges and parapets shall not run unbroken for more than 100 feet. Variation may be accomplished by changing the roof height, offsets, direction of slope, and by including elements such as dormers.

Vertical Mixed-Use

Standard	Description
Ground Floor	For residential buildings with ground floor commercial uses, the floor-to-floor height of the ground floor shall be at least 15 feet to ensure appropriate scale of the base of the building in relation to the upper floors.
Pedestrian-Oriented Features	For residential buildings with ground floor commercial uses, a minimum of 30% of the building frontage facing a public street shall be devoted to pedestrian-oriented features, including storefronts, pedestrian entrances to nonresidential uses, transparent display windows, and landscaping. As an example, the minimum 30% requirement applies proportionally to the length of the building frontage that is dedicated to ground floor commercial uses. For example, if 50% of the ground floor is used for commercial purposes, then 15% (50% of 30%) of the total building frontage facing a public street should be devoted to pedestrian-oriented features, such as storefronts, pedestrian entrances, transparent display windows, and landscaping.

HOUSING INCENTIVE OVERLAY (HIO) OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS



Vertical mixed-use with ground floor restaurant with outdoor dining.



Vertical mixed-use with ground floor commercial uses and pedestrian-oriented features such as transparent windows.

Townhomes

Standard	Description
Attached Units Limit	For townhomes that face onto a street, the maximum number of attached units per building shall be 10.
Roof Form	No more than 4 side-by-side units may be covered by one unarticulated roof. Variation may be accomplished by changing the direction of slope, and by including elements such as dormers.



Attached townhomes with project elements such as dormers.



Attached townhomes with no more than 10 units per building facing the street.

HOUSING INCENTIVE OVERLAY (HIO) OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS

4.2.2 Entryways

Intent: Design entryways to be visually prominent as well as provide weather protection to pedestrians.

Common Entries

Standard	Description
Primary Building Entries	<p>Primary building entries, including courtyard doors or gates used at multi-family buildings or residential lobbies for mixed use buildings, shall be recessed into entry bays and accented with treatments that add three-dimensional interest to the façades and enhance the sense of entry into the building through one or more of the following treatments:</p> <ul style="list-style-type: none"> • Marked by a taller mass above, such as a modest tower or within a volume that protrudes from the rest of the building surface. • Accented by special architectural elements which may include canopies, overhanging roofs, awnings, and trellises. • Indicated by a recessed entry or recessed bay in the façade.
Dimensions	<ul style="list-style-type: none"> • One (1) common entry for every 50 feet of building frontage. • The common entrance shall not be less than 40 square feet and shall be a minimum of 6 feet in width. • Common entries shall provide a minimum of 8 feet in clear height.
Upper Floor Units	<p>Entrances to upper floor units shall be accessed exclusively through a shared lobby entrance to ensure that access to upper floor units is centralized and streamlined through a common lobby entrance, promoting convenience, security, and efficient use of space.</p>



Common entry leading into a courtyard for residential development.



Common entrance for upper floor units provided through a shared lobby entrance.

Entries for Residential Only

Standard	Description
Entry Details	<p>Each entry to a dwelling unit shall be emphasized and differentiated through architectural elements such as porches, stoops, dooryards, roof canopies, and detailing that provides ground level space. The space next to the porch shall be used for landscaping.</p>
Entry Connections	<p>The space in front of the porch shall lead directly to the sidewalk if facing a street or lead to common landscaping and pedestrian paths if facing communal space.</p>

HOUSING INCENTIVE OVERLAY (HIO) OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS



Dwelling unit entries emphasized through architectural elements such as stoops and canopies.



Porches connecting to sidewalks that face a communal space.

Vertical or Horizontal Mixed-Use

Standard	Description
Ground Floor Elevation	<p>At street-fronting entrances, the elevation of the retail or commercial ground floor shall be at the grade of the adjacent sidewalk.</p>
Entry Design	<p>Where development includes ground floor commercial uses, ground-floor façades shall be designed to give individual identity to each separate establishment through the use of signage and/or individual awnings; unique corner treatments, like rounded or angled facets, or a corner tower, above the entry; architectural elements, such as columns, porticos, overhanging roofs, and ornamental light fixtures; and/or changes in roofline or articulation in the surface of the wall. Operable windows or decorative accordion-style doors/windows are permitted but shall not project into the Right-of-Way.</p>
Galleries	<p>A gallery is an at-grade covered structure articulated with colonnade or arches and overlaps the sidewalk. The gallery is allowed to be up to two (2) stories in height. A gallery shall maintain a consistent depth along the entire primary and/or secondary front façade of a minimum of 8 feet. The gallery shall be setback from the sidewalk a minimum of 2 feet. The minimum clear height shall be 12 feet from grade on the 1st story and the 2nd story shall maintain a minimum height of 9 feet. The 2nd story of the gallery shall have a roof. Galleries may extend over the sidewalk within the public right-of-way, subject to approval from the Public Works department. Galleries shall be supported by columns or piers made of concrete/cast stone, fiberglass, or stucco. Archivolts and impostes shall be expressed using similar materials or appearance.</p>

HOUSING INCENTIVE OVERLAY (HIO) OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS

4.2.3 Building Materials and Finishes

Intent: Accentuate building design through quality building materials and attractive finishes.

General

Standard	Description																																																
	The façade materials are comprised of primary, secondary, and accent materials. Finish materials shall be materials that are high quality and durable. Appropriate building materials include:																																																
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	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="background-color: #00838f; color: white;">Element</th> <th style="background-color: #00838f; color: white;">Materials</th> </tr> </thead> <tbody> <tr> <td colspan="2" style="background-color: #c4c483;">Primary Materials</td> </tr> <tr> <td colspan="2" style="background-color: #1a3d4d; color: white;">Wall</td> </tr> <tr> <td>Wall Cladding</td> <td>Shingle and lap siding, composite wood, fiber cement, stone, and stucco</td> </tr> <tr> <td colspan="2" style="background-color: #1a3d4d; color: white;">Base</td> </tr> <tr> <td>Base or Foundation</td> <td>Brick, concrete, stone, cast stone, stucco, composite wood, fiber cement</td> </tr> <tr> <td colspan="2" style="background-color: #c4c483;">Secondary/Accent Materials</td> </tr> <tr> <td colspan="2" style="background-color: #1a3d4d; color: white;">Roof and Roof Elements</td> </tr> <tr> <td>Roofing</td> <td>Asphalt shingles, standing seam metal, terracotta clay barrel tiles, slate</td> </tr> <tr> <td>Rake and Eave</td> <td>Composite wood, wood, stucco</td> </tr> <tr> <td>Cornice</td> <td>Composite wood, stucco, brick, stone, concrete, metal</td> </tr> <tr> <td>Brackets</td> <td>Composite wood, wood, stucco, metal</td> </tr> <tr> <td>Gutter</td> <td>Metal ogee or half-round</td> </tr> <tr> <td colspan="2" style="background-color: #1a3d4d; color: white;">Windows, Bay Windows, and Entry Doors</td> </tr> <tr> <td>Trim or Surround</td> <td>Composite wood, wood, fiber cement</td> </tr> <tr> <td>Entry Door</td> <td>Wood, aluminum, fiberglass, composite</td> </tr> <tr> <td>Window Frames</td> <td>Wood, aluminum clad wood, aluminum, fiberglass</td> </tr> <tr> <td>Glazing</td> <td>Clear glass</td> </tr> <tr> <td colspan="2" style="background-color: #1a3d4d; color: white;">Porches/Balconies</td> </tr> <tr> <td>Columns</td> <td>Composite wood, fiberglass, metal, stucco, concrete, stone</td> </tr> <tr> <td>Railing</td> <td>Composite wood, metal, wrought iron</td> </tr> <tr> <td colspan="2" style="background-color: #1a3d4d; color: white;">Commercial Fronts</td> </tr> <tr> <td>Commercial Front</td> <td>Composite wood, wood, metal</td> </tr> <tr> <td>Commercial Front Base</td> <td>Wood panels, brick, tile, fiber cement, stone, cast stone.</td> </tr> </tbody> </table>	Element	Materials	Primary Materials		Wall		Wall Cladding	Shingle and lap siding, composite wood, fiber cement, stone, and stucco	Base		Base or Foundation	Brick, concrete, stone, cast stone, stucco, composite wood, fiber cement	Secondary/Accent Materials		Roof and Roof Elements		Roofing	Asphalt shingles, standing seam metal, terracotta clay barrel tiles, slate	Rake and Eave	Composite wood, wood, stucco	Cornice	Composite wood, stucco, brick, stone, concrete, metal	Brackets	Composite wood, wood, stucco, metal	Gutter	Metal ogee or half-round	Windows, Bay Windows, and Entry Doors		Trim or Surround	Composite wood, wood, fiber cement	Entry Door	Wood, aluminum, fiberglass, composite	Window Frames	Wood, aluminum clad wood, aluminum, fiberglass	Glazing	Clear glass	Porches/Balconies		Columns	Composite wood, fiberglass, metal, stucco, concrete, stone	Railing	Composite wood, metal, wrought iron	Commercial Fronts		Commercial Front	Composite wood, wood, metal	Commercial Front Base	Wood panels, brick, tile, fiber cement, stone, cast stone.
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Allowed Building Materials

**Building materials not illustrated in this table shall be approved by the Community and Economic Development Director.*

HOUSING INCENTIVE OVERLAY (HIO) OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS

If used, brick and stone veneer shall be mortared and wrap around corners to give the appearance that they have a structural function and minimize a veneer appearance.

Brick and Stone Veneer



The following materials are inappropriate because they do not uphold the quality or lifespan that is desirable for new development:

Prohibited Building Materials

- Mirrored glass, reflective glass, or heavily tinted glass
- Vinyl siding
- Vertical wood sheathing such as T-III
- Plywood or similar wood
- Hardboard
- Galvanized metal

Wall openings surrounded by masonry finish materials shall be spanned by one (1) of the following:

Masonry Openings

1. Arch
 - All joints within the arch shall align with a shared point on the center line of the opening.
 - The arch shall not have a joint directly on the center line of the opening.
 - If a keystone is present, it shall be centered on the center line of the opening
2. Lintel
 - The height of the lintel shall be no less than one-eighth of the width of the opening.
 - The lintel shall extend beyond the opening by at least half of its height on both sides.
 - The height of the lintel shall be greater than that of the sill or apron.

Each building shall have a maximum of three (3) colors applied to its façade. The colors shall be distributed as follows:

Colors

- One (1) primary color, occupying 50% or more of the façade.
- One (1) secondary color, comprising no more than 45% of the façade.
- One (1) accent color to be used on trim and architectural details.

Note: Materials that have naturally-occurring coloration, such as metal, wood, tile, stone, brick, and glass, may count towards either secondary color or accent color.

HOUSING INCENTIVE OVERLAY (HIO) OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS

4.2.4 Window/Glazing

Intent: Design and locate windows so that they provide well-proportioned articulation to building façades. In order to impart a human scale, openings should be in a vertical proportion which relates to the human body.

General

Standard	Description
Street Frontage	Building walls along all street frontages shall have windows at all floors above ground level.
Orientation and Proportion	Buildings shall include vertically oriented and proportioned façade openings with windows that have a greater height than width (an appropriate vertical/horizontal ratio ranges from 1.5:1 to 2:1). Where glazed horizontal openings are used, they shall be divided with multiple groups of vertical windows. Smaller windows in utility areas or bathrooms may be horizontally proportioned.
Recess	<p>Along primary and secondary street frontages, window frames shall be recessed and not flush against the walls. In these locations, shaped frames and sills, detailed with architectural elements such as projecting sills, molded surrounds, or lintels, shall be used to enhance window openings and add additional relief.</p> <div style="display: flex; justify-content: space-around;">   </div>
Glazing	Glass shall be clear with a minimum of 80% light transmission. Mirrored and deeply tinted glass or applied films that create mirrored windows and curtain walls are prohibited. To add privacy and aesthetic variety to glass, fritted glass, spandrel glass, and other decorative treatments are appropriate

HOUSING INCENTIVE OVERLAY (HIO) OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS

4.2.5 Projecting Elements

Intent: Design projecting elements so that they provide visual interest and articulation of building façades.

Awnings

Standard	Description
Frequency	For buildings with ground floor commercial uses, awnings shall be provided over each storefront, located within the individual structural bays.
Projection	Awnings and canopies shall not project more than 4 feet from the façade.
Height	The height of all awnings above the sidewalk shall be consistent, with a minimum clearance of 8 feet provided between the bottom of the valance and the sidewalk. Valances shall not exceed 18 inches in height.
Lighting	If used, lighting for awnings shall be from fixtures located above the awnings. Backlighting of transparent or translucent awnings are not allowed.



Balconies, Decks, and Trellises

Standard	Description
Projection	Balconies and decks shall not project more than 6 feet from the façade.
Proportion	The distance between supporting columns, piers, or posts on trellises or balconies shall not exceed their height.



HOUSING INCENTIVE OVERLAY (HIO) OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS

Bay Windows

Standard	Description
Projection	Bay windows shall not project more than 3 feet from the façade nor exceed 8 feet in length.
Horizontal Separation	If more than one bay window is provided on a façade, there shall be at least 4 feet of horizontal separation between the two bay windows.
Design	Windows shall be provided on all sides of the bay window and consist of a vertical orientation and proportion. Changes in wall finish material shall occur at the boundaries between bays rather than within a bay.



HOUSING INCENTIVE OVERLAY (HIO) OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS

4.2.6 Roofs

Intent: Design rooflines to have visual interest, use roof materials are durable, and ensure that roofing materials/colors and equipment do not become a visual detriment to surrounding properties.

General

Standard	Description
Roof Materials	<p>Appropriate types of roof materials include:</p> <ul style="list-style-type: none"> • Slate or fiber cement shingles • Clay or concrete tile roofs • Coated metal • Composite roofing materials made of recycled natural fiber and recycled plastic • Tar, gravel, composition, or elastomeric materials (concealed by a parapet/cornice)
Prohibited Roof Materials	<p>Reflective roofing materials shall not be used on roof surfaces that are visible from either ground level or elevated viewpoints.</p>
Equipment Screening	<p>All roof-mounted mechanical, electrical, and external communication equipment, such as satellite dishes and microwave towers, shall be screened from public view and architecturally integrated into the building design, and consolidated to a minimal number of locations.</p>
Vent Pipes	<p>Vent pipes that are visible from streets, sidewalks, plazas, courtyards, and pedestrian walkways shall be painted to match the color of the roof to make them less conspicuous.</p>
Gutter/Downspouts	<p>All roofs shall include gutters/downspouts that:</p> <ul style="list-style-type: none"> • Drain directly into a cistern, landscaped area, or storm drain system. • Match the trim or body color of the façade. • Are inconspicuously located, unless consistent with the design of the building’s architectural style (e.g., Spanish Revival).
Roof Overhangs	<p>Roof overhangs shall not extend over a neighboring parcel or more than 3 feet over a public sidewalk (subject to the approval of an encroachment agreement by the Public Works Department).</p>

4.2.7 RESERVED.

4.2.8 RESERVED.

4.2.9 RESERVED.

4.2.10 RESERVED.

HOUSING INCENTIVE OVERLAY (HIO) OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS

4.3 Landscaping and Open Space Standards

4.3.1 Landscaping

Intent: Provide well-maintained landscape that enhance residential buildings and outdoor private and public spaces.

General

Standard	Description
Minimum Landscaped Area	All projects shall have a minimum 15% landscaping within each of the three (3) development types.
Front Yard Landscaping	All portions of required front yards, except those areas occupied by pedestrian or vehicular access ways, shall be landscaped. Required setbacks and corner landscaping shall not be counted toward the minimum 15% requirement.
Materials	Landscaped areas shall incorporate plantings utilizing a three-tier system: (1) grasses and ground covers, (2) shrubs and vines, and (3) trees. <div style="text-align: center;">  </div>
Design	Landscaping designs shall include two (2) or more of the following planting design concepts: <ul style="list-style-type: none"> • Placement of specimen trees (48-inch box or more) in informal groupings or rows at major focal points. • Use of landscape to create shadow and patterns against walls. • Use of landscape to soften building lines and emphasize the positive features of the site. • Use of flowering vines on walls, arbors, or trellises. • Trees to create canopy and shade, especially in parking areas and passive open space areas. • Berms, plantings, and walls to screen parking lots, trash enclosures, storage areas, utility boxes, etc. • Palm trees planted in community pool areas and as primary focal points of the project.
Ground Cover Materials	Ground cover shall consist of live plant material. Pervious non-plant materials such as permeable paving, gravel, colored rock, cinder, bark, and similar materials shall not cover more than 10% of the required landscape area. Mulch shall be confined to areas beneath shrubs and trees and shall not be used as a substitute for ground cover plants.
Size and Spacing	Plants shall be of the following size and spacing at the time of installation: <ul style="list-style-type: none"> • Ground cover plants other than grasses must be at least four-inch pot size. Areas planted in ground cover plants other than grass seed

HOUSING INCENTIVE OVERLAY (HIO) OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS

	<p>or sod must be planted at a rate of at least one per 12 inches on center.</p> <ul style="list-style-type: none"> • Shrubs shall be a minimum size of one (1) gallon. • Trees shall be a minimum of 15 gallons in size with a one-inch diameter at breast height (dbh). At least one specimen tree with a 24-inch or larger box size shall be planted in the landscaped area of the front yard setback.
Protection from Encroachment	<p>Landscaping shall be protected from vehicular and pedestrian encroachment by raised planting surfaces and the use of curbs. Concrete step areas shall be provided in landscape planters adjacent to parking spaces.</p>
Interference with Utilities	<p>Plant materials shall be placed so that they do not interfere with the lighting of the premises or restrict access to emergency apparatus such as fire hydrants or fire alarm boxes and ladder pads. Trees or large shrubs shall not be planted under overhead lines or over underground utilities if their growth might interfere with such public utilities. Trees and large shrubs shall be placed as follows:</p> <ul style="list-style-type: none"> • A minimum of 6 feet between the center of trees and the edge of a driveway, a water meter, gas meter, and sewer laterals. • A minimum of 20 feet between the center of trees and the beginning of curb returns at intersections to keep trees out of the line-of-sight triangle at intersections. • A minimum of 15 feet between the center of trees and large shrubs to utility poles and streetlights. • A minimum of 8 feet between the center of trees or large shrubs and fire hydrants and fire department sprinkler and standpipe connections.
Staking and Root Barriers	<p>All trees shall be securely staked with double staking and/or guy-wires. Root barriers shall be required for any tree placed within 10 feet of pavement or other situations where roots could disrupt adjacent paving/curb surfaces.</p>
Automatic Sprinkler Controllers	<p>Automatic sprinkler controllers shall be installed to ensure that landscaped areas will be watered properly. Backflow preventors and anti-siphon valves shall be provided in accordance with current codes.</p>
Sprinkler Heads	<p>Sprinkler heads and risers shall be protected from car bumpers. "Pop-up" heads shall be used near curbs and sidewalks. The landscape irrigation system shall be designed to prevent run-off and overspray.</p>
Enclosures	<p>All irrigation systems shall be designed to reduce vandalism by placing controls in appropriate enclosures.</p>
Surface Parking Landscaping	<p>Surface parking landscaping shall include a minimum of one (1) of the following:</p> <ul style="list-style-type: none"> • One (1) landscaped finger island shall be provided for every 10 parking spaces. Landscaped planters shall be no less than 3 feet in width in all interior dimensions. All end parking stalls shall be adjacent to landscape planters. • One (1) landscaped diamond planter with a minimum of 25 square feet located at the head of parking stalls and may encroach into the parking stall space. One (1) diamond planter shall be provided for every 5 parking spaces. • One (1) landscaped half-diamond planter with a minimum of 25 square feet located at the head of parking stalls and may encroach into the parking stall space. One (1) half-diamond planter shall be provided for every 10 parking spaces.

HOUSING INCENTIVE OVERLAY (HIO) OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS

Landscaped Buffer	For developments that abut any single-family zone or industrial zone, a row of trees at least 10 feet in width shall be located adjacent to all buildings that abut a single-family or industrial property.
Turf	Within areas featuring artificial turf, the placement of these turf areas shall be limited to high-activity foot-traffic areas or recreational use only and shall have a minimum 10-foot diameter. A material sample shall be submitted to the Planning Division for review prior to installation by a licensed contractor and shall have a minimum 8-year “no fade” product warranty. The turf shall be maintained in a green, fadeless condition and shall be maintained free from stains, weeds, debris, tears, holes, or impressions. Areas of living plant material such as shrubs, vines, and flowering ground covers, shall be included within the overall landscape design when installing turf.
Compliance with City Guidelines	All landscaped areas within the project site shall ensure compliance with the Guidelines for Implementation of the City of Buena Park’s Water Efficient Landscape Ordinance.
Tree Removal within public right-of-way	Any existing trees located on public development site shall require a Removal Permit pursuant to Section 12.20.040 of the Buena Park Municipal Code.



HOUSING INCENTIVE OVERLAY (HIO) OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS

4.3.2 Walls and Fences

Intent: Design walls and fences to include durable materials, be visually pleasing, and avoid creating a continuous, imposing barrier along street frontages. The design of walls and fences, along with the materials selected, should harmonize with the overall design of the entire development.

General

Standard	Description
Prohibited Fencing	Chain link fencing or plain concrete block walls (i.e., precision block) for fences and gates is not permitted.
High Activity Areas and Street Frontages	Visually penetrable materials (e.g., wrought iron or tubular steel) shall be used in areas of high activity (i.e., pools, playgrounds) and areas adjacent to street frontage.
Material Durability	Wall design and selection of materials shall consider maintenance issues, especially graffiti removal and long-term maintenance. Decorative capstones on stucco walls are required to help prevent water damage from rainfall and moisture.
Materials	Wall materials shall be brick, slump stone, tile, textured concrete, stucco on masonry, or steel framing, or other material walls which require little or no maintenance are required. The style of the wall shall be the same or similar to the architectural style of the project.
Fence Height	Solid fences and walls are allowed anywhere on a site but shall not exceed 3 feet in height. Wrought-iron fencing that is not view obscuring, is allowed anywhere on a site but shall not exceed 4 feet in height.
Visual Interest	Perimeter walls shall incorporate various textures, staggered setbacks, and variations in height in conjunction with landscaping to provide visual interest and to soften the appearance of perimeter walls. Perimeter walls shall incorporate wall inserts and/or decorative columns or pilasters to provide relief. The maximum unbroken length of a perimeter wall shall be 50 feet. Solid perimeter walls may be permitted.
Perimeter Walls	All exterior perimeter walls located along public streets shall have an offset of a minimum of 5 feet deep for every 50 linear feet to 75 linear feet of the wall length. All non-transparent perimeter walls and/or fences shall be architecturally treated on both sides and shall incorporate landscaping whenever possible. Perimeter walls and fencing shall be no more than 8 feet in height.
Retaining Walls	All retaining walls located within the front yard setback and side street setback or visible from the public sidewalk adjoining the development shall not exceed 4 feet in height and shall include a landscaped planter in front of the wall.
Screening and Noise Mitigation	Screen walls, sound walls, and retaining walls shall be used to mitigate noise generators and provide privacy for residents.
Gates and Barriers	Driveway and pedestrian path access points into the building site may be gated or otherwise restrict public access. The fencing height for the entrance of a gated community shall not exceed 8 feet in height and shall not be view-obscuring. Gated entries shall provide a queuing distance in front of the gate to accommodate a minimum of 2 vehicles or more.
Setbacks	Fences and walls shall be located no more than five (5) feet from the setback line and no more than the bottom three (3) feet of the fence and/or wall shall be view-obscuring.

4.3.3 RESERVED.

4.3.4 RESERVED.

4.3.5 RESERVED.

HOUSING INCENTIVE OVERLAY (HIO) OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS

4.4 Lighting Standards

4.4.1 Pedestrian Lighting

Intent: Provide lighting that enhances visibility and creates a safe pedestrian environment while minimizing visual disturbances such as glare. Lighting fixtures should be architecturally compatible with the buildings and belong to the same design "family," encompassing design, materials, color, style, and the quality of light.

General

Standard	Description
Pedestrian Safety	<p>Areas used by pedestrians shall be illuminated at night to ensure safety. These areas include:</p> <ul style="list-style-type: none"> • Surface parking lots and parking structures (entrances, elevators, and stairwells) • Sidewalks, walkways, and plazas • Building entrances (including rear and service entrances) • Trash enclosures • Alleys • Automated Teller Machines (ATMs)
Height	The height of luminaries shall not exceed 16 feet in height from grade.
Prohibited Lighting	No outdoor lights shall be permitted that blink, revolve, flash, or change intensity.
Illumination Level	Exterior doors, aisles, passageways, and recesses shall have a minimum level of light of one foot-candle during evening hours. These lights shall be equipped with vandal-resistant covers.
Street Lighting	Street lighting shall be installed inside the project along the network of internal streets.
Glare	All outdoor lighting shall be designed, located, installed, directed downward or toward structures, fully shielded, and maintained to prevent glare, light trespass, and light pollution and away from adjoining properties and public rights-of-way, so that no light fixture directly illuminates an area outside of the project site intended to be illuminated. The light level at property lines shall not exceed 0.3 foot-candles.
Concealment	Light sources for wall washing and tree lighting shall be hidden.
Public Spaces	Lighting may also be used to highlight trees and similar features within public and private plazas, courtyards, walkways, and other similar outdoor areas and to create an inviting and safe ambiance.
Design of Fixtures	Fixtures on buildings shall be attached only to walls or eaves, and the top of the fixture shall not exceed 18 feet above the finished grade. Architectural features may be illuminated by up-lighting, provided that the lamps are low intensity, and fully shielded such that no glare or light trespass is produced.
Energy Efficiency	Outdoor lighting shall utilize energy-efficient fixtures and lamps such as metal halide, hard-wired compact fluorescent, LED, or other lighting technology that is of equal or greater efficiency. All new outdoor lighting fixtures shall be energy efficient with a rated average bulb life of not less than 10,000 hours.

HOUSING INCENTIVE OVERLAY (HIO) OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS

4.4.2 Parking Lot Lighting

Intent: Provide lighting that helps create visibility and a safe environment for pedestrians and vehicles while minimizing visual nuisance like glare.

General

Standard	Description
Height	Surface parking lot lighting fixtures shall not be on poles over 25 feet high.
Illumination Level	Energy-efficient, full-cutoff pole fixtures shall be utilized to provide adequate light levels for safety at parking lots. A minimum of 1.0 footcandle throughout the parking lot and 2.0 foot-candles at the entrance/exit. The minimum lighting requirement of entrances and exits for a parking structure shall be 2.0 foot-candles and the minimum lighting requirement of parking areas within the parking structure shall be 2 foot-candles.
Energy Efficiency	Outdoor lighting shall utilize energy-efficient fixtures and lamps such as metal halide, hard-wired compact fluorescent, LED, or other lighting technology that is of equal or greater efficiency. All new outdoor lighting fixtures shall be energy efficient with a rated average bulb life of not less than 10,000 hours.
Glare	All outdoor lighting shall be designed, located, installed, directed downward or toward structures, fully shielded, and maintained to prevent glare, light trespass, and light pollution and away from adjoining properties and public rights-of-way, so that no light fixture directly illuminates an area outside of the project site intended to be illuminated. The light level at property lines shall not exceed 0.3 foot-candles.

4.4.3 RESERVED.

4.4.4 RESERVED.

4.4.5 RESERVED.

HOUSING INCENTIVE OVERLAY (HIO) OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS

4.5 Signage Standards

4.5.1 General

Intent: Locate and design signs so that they do not become a visual nuisance nor project onto the public sidewalk.

General

Standard	Description
Appropriate Signage	<p>The following signs shall be permitted within the Housing Incentive Overlays:</p> <ul style="list-style-type: none"> • Monument Sign • Canopy Sign • Projecting Sign • Wall Sign • Window Sign • Directory Sign <p>Objective Design and Development Standards in this Section are provided for Monument Signs and Directory Signs only. Other signs not provided in this Section shall meet the development standards provided in Division 9 (Sign Regulations) of the Zoning Code.</p> <p>*The signs listed above may require a sign permit. See Division 9 (Sign Regulations).</p>
Zoning Code	<p>The signage standards shall be consistent with Division 9 (Sign Regulations) of the City of Buena Park’s Zoning Code. Where the signage standards in this document are silent, the Zoning Code shall prevail. The signage shall be applicable to the use of the development (See Chapter 19.908 for Residential Uses and Chapter 19.912 for Commercial Uses). The Objective Design Standards below are provided in addition to the development standards provided in the City of Buena Park’s Zoning Code.</p>
General Signage Design Standards	<ul style="list-style-type: none"> • Light backgrounds create glare when illuminated, thus shall not be provided within the HIO’s. • One (1) sign per frontage permitted. • A sign program is required for new development within the HIO’s. New building design should provide logical sign areas, allowing flexibility for new users as the building is re-tenanted over time. • All signs should be architecturally integrated with their surroundings in terms of size, shape, color, texture, and lighting so that they are complementary to the overall design of the building and are not in visual competition with other signs in the area. • There shall be no exposed raceways for illuminated signs. • Landscaping and irrigation shall be designed around the base of freestanding signs to integrate the sign with the ground plane and screen out any low level flood lights. Irrigation shall be designed so it does not damage the sign. • Dark colored backgrounds on signs are generally encouraged. Stark white or extremely bright or neon background colors such as bright red, orange or yellow are discouraged.

HOUSING INCENTIVE OVERLAY (HIO) OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS



Example of Monument Sign



Example of Canopy Sign



Example of Wall Sign



Example of Projecting Sign



Example of Directory Sign



Example of Window Sign

4.5.2 Allowable Signage

Intent: Provide non-obtrusive signs that are harmonious with the landscape and architectural style of the project.

Monument Signs

Standard	Description
Location	Monument signs shall be located within a landscaped planter or other landscaped area within the front yard setback at the primary project entry.
Size	Monument signs shall include a solid base not exceeding 2 feet in height. Monument signs shall not exceed 8 feet in total height, including the solid base. In the event the monument sign includes any framing or support structures, the total height shall not exceed 10 feet.
Frequency	There shall be no more than one (1) monument sign for 750 linear feet of street frontage. For street frontages of more than 750 feet, monument signs shall be no closer than 300 feet from one another.
Design	Monuments are vital for creating community identity and placemaking. They blend into surroundings, serving as entry and exit points, ensuring aesthetic and functional transitions. Neighborhood monuments should match the community entry monument or local architecture in style, but on a smaller scale. The standards apply to both community and neighborhood monuments, including creating distinctive identities, enhancing placemaking through signs, trees, landscaping, and lighting, maintaining sight lines,

HOUSING INCENTIVE OVERLAY (HIO) OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS

designing monuments as low garden walls with landscaping, and aligning them with architectural themes of primary structures.



Back-lit lettering encouraged for residential and mixed-use projects to convey a subtle and attractive appearance.



Monument sign is located at the ingress and egress point of the site within a landscaped planter.



Monument sign is compatible with the architectural design.

Directory Sign

Standard	Description
Location	A directory sign shall be located within the front yard setback as a free-standing sign or mounted on the primary building façade that faces the street. The free-standing directory sign shall be a minimum of 2 feet from the right-of-way.
Size	A freestanding directory sign shall be a minimum of 3 feet wide and a maximum of 8 feet in height. A wall mounted directory sign shall exceed 8 feet in height and shall be located a minimum of 3 feet from the ground floor. The directory sign shall not exceed 10 square feet.
Frequency	Both the wall mounted and the freestanding signs are allowed on the same project site if separated by at least 35 feet.
Design	A directory sign shall only provide the names of businesses and residences and the associated addresses. Driveway directional signs shall only be used for projects where circulation is complex and traffic must proceed through the site along a specific path for service. Where the layout of the parking lot and driveways are obvious and clearly apparent to the driver entering from the street, directional signage is not appropriate. Directory signs may include a small map of the building or complex, if applicable. Freestanding directory signs with directories of tenant located near vehicular entrances to shopping areas are discouraged.



Building Directory Sign



Development Directory Sign

4.5.3 RESERVED.

4.5.4 RESERVED.

4.5.5 RESERVED.

CHAPTER 5. HOTEL/MOTEL CONVERSION OVERLAY

5.1 Purpose

The purpose of this Chapter is to facilitate the conversion of existing transient residential structures, such as hotels and motels, into permanent multi-family housing for lower-income households by establishing a regulatory framework for review of the location, configuration, design, and compatibility of the proposed use with surrounding uses and to ensure the suitability of the site for the proposed converted use as well as a high level of livability for residents.

5.2 Definitions

The following definitions apply for the purposes of this Chapter.

"Affordable Housing Cost" shall have the same meaning as in Health and Safety Code Section 50052.5.

"Affordable Rent" shall have the same meaning as in Health and Safety Code Section 50063.

"Displace" or "Displacement" shall mean vacating a Rental Unit in a Hotel or Motel upon notice from the owner or applicant that the owner or applicant seeks to withdraw all the Rental Units in the Hotel or Motel for the purpose of converting the Hotel or Motel to permanent multifamily housing pursuant to the provisions of Division 4 (Multi-Family Zones) of the Municipal Code.

"Eligible Household" means a displaced residential household whose annual household income does not exceed 50 percent of the area median income (AMI) for Orange County as adjusted for household size according to the United States Department of Housing and Urban Development, as may be adjusted from time to time, and whose rental payments remain current through the date of displacement. Notwithstanding the foregoing, an Eligible Household shall not include any of the following:

1. A household whose occupancy ended due to the expiration of a term lease and the tenancy was not extended by the operation of Civil Code Section 1945;
2. The residential household (a) is in the process of being evicted pursuant to the terms of the rental agreement for failure to pay rent or other breach of the rental agreement; or (b) has been judged guilty of unlawful detainer pursuant to Code of Civil Procedure Section 1161; or (3) has entered into a stipulated agreement in an unlawful detainer action which required vacation of the premises; or
3. The residential household received written notice, prior to entering into a written or oral agreement to become a tenant, that an application to convert their rental unit pursuant to the provisions of this Chapter was on file with the City of Buena Park or had already been approved and would result in their displacement.

"Hotel or Motel" means any hotel, motel, bed and breakfast inn, or other similar transient lodging establishment containing one (1) or more guest rooms intended or designed to be used, or which are used, rented or hired out to be occupied or which are occupied for sleeping purposes and dwelling purposes by guests, whether rent is paid in money, goods, or services. Hotel or Motel does not include any jail, health facilities as defined in Section 1250 of the California Health and Safety Code, asylum, sanitarium, orphanage, prison convent, rectory, residential care facility for the elderly as defined in Section 1569.2 of the Health and Safety Code, residential facilities as defined in Section 1502 of the Health and Safety Code or other institution in which human beings are housed or detained under legal restraint, or any private club and nonprofit organization.

HOUSING INCENTIVE OVERLAY (HIO) OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS

"Hotel/Motel Conversion" is any action that converts any building or structure used for transient lodging in which there are five (5) or more transient guest rooms by a change of use to multi-family housing that may be utilized as Senior Housing or other types of housing. Such a conversion may affect an entire building or structure used for transient lodging, or any portion thereof so long as the portion includes five (5) or more units.

"Lower Income Household" shall have the same meaning as in Health and Safety Code Section 50079.5.

"Relocation Assistance Agency" means a relocation assistance specialist, agency, and/or other third-party agency hired by the City of Buena Park and paid for by the applicant to assist with the relocation process set forth in this Chapter.

"Rental Unit" means any room or other unit in a Hotel or a Motel that has been continuously occupied by a Tenant for thirty (30) or more days pursuant to a lease or rental agreement, whether written or oral.

"Senior Citizen" means a person sixty-two (62) years or older, or fifty-five (55) years of age or older who lives in Senior Housing.

"Senior Housing" means any residential development developed, substantially rehabilitated, or substantially renovated for Senior Citizens.

"Special Circumstances Household" means an Eligible Household with any of the following characteristics:

1. At least one (1) member is sixty-two (62) years of age or older;
2. At least one (1) member qualifies as disabled as defined by Title 42, United States Code, Section 423, or handicapped as defined by California Health and Safety Code Section 50072; or
3. At least one (1) member is a minor child (under eighteen (18) years of age) who is legally dependent (as determined for federal income tax purposes).

"Tenant" means a tenant, subtenant, lessee, sublessee or any other person or household entitled to the use of occupancy of a Rental Unit under a valid lease or rental agreement, whether written or oral, with the owner or operator of a Hotel or Motel.

"Very Low Income Household" shall have the same meaning as in Health and Safety Code Section 50105.

5.3 Location Criteria

This Chapter applies to three (3) specific sites within the City.

APN 136-172-14 (0.52 acres)

- Underlying Zone: CG, Commercial General
- Minimum Number of Units: 20
- Maximum Number of Units: 25
- Year Built: 1980
- Distance to Public Transit Route: Less than 300 feet
- Distance to Medical Clinic: 0.3 miles
- Distance to Pharmacy: 0.6 miles
- Distance to Grocery Store: 0.2 miles

HOUSING INCENTIVE OVERLAY (HIO) OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS

APN 136-172-15 (0.41 acres)

- Underlying Zone: CG, Commercial General
- Minimum Number of Units: 20
- Maximum Number of Units: 25
- Year Built: 1983
- Distance to Public Transit Route: Less than 300 feet
- Distance to Medical Clinic: 0.3 miles
- Distance to Pharmacy: 0.6 miles
- Distance to Grocery Store: 0.2 miles

APN 276-381-09 (1.70 acres)

- Underlying Zone: CM, Commercial Manufacturing
- Minimum Number of Units: 20
- Maximum Number of Units: 98
- Year Built: 1968
- Distance to Public Transit Route: Less than 300 feet
- Distance to Medical Clinic: 0.2 miles
- Distance to Pharmacy: 0.8 miles
- Distance to Grocery Store: 0.6 miles

5.4 Application and Approval

The conversion of hotel, motel or other transient residential structures to permanent multi-family housing shall be processed as follows:

A. Hotel/Motel Conversion Permit.

1. **Applicability.** A Hotel/Motel Conversion Permit is required for the conversion of hotels, motels, and other transient lodgings to multi-family residential use. A Hotel or Motel is only eligible for conversion under this Chapter if its use as a Hotel or Motel has been permitted by the City of Buena Park, with a valid business license from the City of Buena Park for at least ten (10) years.
2. **Application requirements.** An application for a Hotel/Motel Conversion Permit shall be filed in compliance with Section 19.128.020 of the Buena Park Municipal Code (Conditional Use Permit). The application shall be accompanied by the information identified in the Department application form for Hotel/Motel Conversion Permit applications, including, but not limited to the following:
 - i. **Parcel Information.** The zoning and general plan designations and assessor's parcel number(s) of the sites on which the Hotel/Motel Conversion is proposed;
 - ii. **Project Description.** A narrative project description that summarizes the proposed Hotel/Motel Conversion;
 - iii. **Tentative Map or Site Plan.** A tentative map or preliminary site plan, drawn to scale, showing the number and location of all proposed units, and where applicable, designating the location of the proposed affordable units in the Hotel/Motel Conversion;
 - iv. **Objective Standards; Certificate of Compliance.** Reasonable documentation that all of the objective development standards in Section 3.2 of this document are met. In addition, the applicant shall

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submit a certificate of compliance, in a form acceptable to the City of Buena Park, declaring and certifying under penalty of perjury that each of the threshold eligibility criteria, as specified in Section 3.2 of this document, are satisfied;

- v. **Existing Tenants.** Information regarding any existing tenants at the Hotel or Motel, including identification of the units occupied, the monthly rents for those units, the names of every member of the household who is a signatory on a written lease or rental agreement for that unit, the household income (if known), and the number of household members included on the lease or rental agreement. Where there is no written lease or rental agreement, the applicant shall provide the name of every person the applicant considers to be a Tenant under an oral lease or rental agreement;
 - vi. **Management Plan.** A comprehensive management plan shall be submitted to and reviewed by the Director, and approved by Planning Commission in conjunction with the Hotel/Motel Conversion Permit. The Director or designee shall enforce the terms of the management plan, and may approve an amendment to the management plan, provided that the management plan complies with all conditions of approval for the Hotel/Motel Conversion Permit. The approved management plan shall be approved as to form by the City Attorney and recorded before the issuance of a certificate of occupancy or final building inspection, as applicable;
 - vii. **Affordable Housing Plan and Monitoring.** An affordable housing plan describing how the project will satisfy the affordable housing requirements of 50% AMI or less. The affordable housing plan shall include an explanation of the proposed mechanism by which the development proponent will fund ongoing monitoring and compliance with the affordability requirements for the affordable units in the Hotel/Motel Conversion throughout the term of affordability.
 - viii. **Recorded Covenant.** Prior to the issuance of the first building permit for the conversion, a land use restriction or covenant shall be recorded on the property documenting that the housing shall remain affordable, pursuant to the specifications of the City's affordable housing policy illustrated in Section 19.408.030 of the Municipal Code.
3. **Project review, notice and hearing.**
- i. Upon submission of an application for a Hotel/Motel Conversion Permit, the Director, or designee, shall review the application to determine whether the application is consistent with the provisions of this Chapter and with the provisions of Chapter 19.128 (Administrative Procedures) of the Municipal Code.
 - ii. The Director, or designee, shall prepare and submit a staff report, including a recommendation, to the Planning Commission for review of the Hotel/Motel Conversion Permit.
 - iii. The Planning Commission shall conduct a public hearing on an application for a Hotel/Motel Conversion Permit. The Planning Commission action shall be final unless appealed to the City Council pursuant to section 19.120.
4. **Findings and decision.** The Planning Commission may approve, conditionally approve, or disapprove an application for a Hotel/Motel Conversion Permit. The Planning Commission may approve a Hotel/Motel Conversion Permit only after first making a written a finding of all of the following:

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- i. The hotel, motel or transient lodging facility proposed for conversion is currently a legal or legally nonconforming use of the site;
 - ii. The Hotel/Motel Conversion has met the application requirements specified in Section 5 of this Chapter;
 - iii. The Hotel/Motel Conversion satisfies all of the applicable requirements of Section 19.128 (Conditional Use Permit) of the Municipal Code.
 - iv. The project complies with all other applicable provisions of local and state law.
 5. **Conditions of approval.** In approving a Hotel/Motel Conversion Permit, the Planning Commission may impose conditions (e.g., buffers, hours of operation, landscaping and maintenance, lighting, offsite improvements, parking, performance guarantees, signs, surfacing, time limits, traffic circulation, security, property management, support services, etc.) to ensure that the approval would be in compliance with the finding required by subsection (4) above.
 6. **Post-approval procedures.** The procedures relating to amendments, expiration, performance guarantees, and revocation that are identified in the Zoning Code shall apply following the decision on a Hotel/Motel Conversion Permit application.
- B. **Design Review** A Hotel/Motel Conversion shall be subject to site and architectural design review pursuant to the provisions of Section 19.128.100 (Interdepartmental Review).

5.5 Tenants' Rights, Relocation Assistance and Right To Return.

A. Tenant Displacement Notices.

1. **Notice of Intent.** No later than thirty (30) days after filing an application for a Hotel/Motel Conversion, the applicant shall notify each residential household residing on the subject real property that the applicant has filed an application with the City of Buena Park. The notice shall be sent by regular and certified mail and posted on the door of each rental unit. For each such notice, the applicant shall use a notice of intent form provided by the City of Buena Park that shall contain the following information:
 - a. The name and address of the current property owner and the project developer;
 - b. A description of the Hotel/Motel Conversion application being filed and a general time frame to complete the work described in the application;
 - c. An explanation of the relocation assistance available to Eligible Households and Special Circumstances Households, information on Eligible Household incomes and the procedure for submitting claims for relocation assistance;
 - d. An explanation of the Right to Return and Right of First Refusal to a unit in the new development and information on the procedure for submitting claims to these benefits;
 - e. Contact information for the relocation assistance agency that will be assisting with the relocation assistance process. This contact information and a brief explanation of the purpose of the notice shall be translated into non-English languages as determined by the [City/County];

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- f. The tenant's right to receive written notice for each hearing and right to appear and be heard at land use hearing, if applicable; and
- g. Other information deemed necessary or desirable by the community development department.

The applicant must submit evidence of compliance with this section to the City of Buena Park for the application to be deemed complete. Specifically, the applicant shall submit to the City of Buena Park a duplicate copy of the notice of intent served on each tenant along with a declaration indicating that each notice was sent by regular and certified mail and posted on the door of the rental unit.

2. **Notice of Application Approval.** No later than fifteen (15) days after receiving final approval of the Hotel/Motel Conversion application (including any appeal period), the applicant shall notify each residential household residing on the subject real property that the application has been approved. The notice shall be sent by regular and certified mail and posted on the door of each rental unit.
 3. **Notice of Termination.** The applicant shall provide a written notice of termination to all tenant subject to displaced pursuant to Civil Code Section 1946, Civil Code Section 1946.1, and where applicable, Civil Code Section 1946.12. The date to vacate shall not be prior to the City's determination that the applicant has complied with this Chapter.
- B. **Relocation Assistance.** The applicant shall provide the following relocation assistance to any Eligible Households that are displaced from a rental unit in a Hotel or Motel to convert the Hotel or Motel to permanent multifamily housing pursuant to the provisions of this Chapter:
1. A full refund of the tenant's security deposit;
 2. A sixty (60) day subscription to a rental agency service;
 3. A payment of the cash equivalent of three (3) months' rent. The amount to be paid shall be calculated at the time the relocation application is approved by the City based on the most recent Department of Housing and Urban Development's Fair Market Rent calculation for Orange County for a similar-sized unit with the same number of bedrooms. Special Circumstances Households will be paid one (1) additional month of rent for a maximum total of four (4) months' rent.
- C. **Right of Return and Right of First Refusal.** In addition to the relocation assistance required by subsection A above, any tenants who are from a Hotel or Motel shall be entitled to a right of first refusal and a right to return to a new unit in the Hotel/Motel conversion. All tenants, regardless of their status as an Eligible Household, shall be entitled to the rights under this subsection C. Within sixty (60) days of the issuance of a certificate of occupancy for the units constructed pursuant to the Hotel/Motel Conversion, the Owner shall offer to rent the units to Tenants who were displaced by the Hotel/Motel conversion.
- D. **Administration of Relocation Assistance and Right of Return.**
1. The City of Buena Park shall, at the applicant's expense, hire a relocation assistance agency to administer the provisions of this Section. The applicant shall, at the time that the application for the Hotel/Motel Conversion is submitted, deposit sufficient funds with the relocation assistance agency or the City to cover the estimated cost of the relocation assistance services.
 2. The relocation assistance agency shall hold informational meetings with the tenants, respond to questions, verify current household incomes and the existence of special circumstances, assist in distributing relocation

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payments to Eligible Households, if desired by the City, provide an accounting of any dispersed funds to the applicant and the City, and maintain records of tenants' contact information until the converted units are ready for occupancy.

3. The applicant shall deposit relocation assistance funds required pursuant to subsection A with the City, no later than thirty (30) days after filing an application, to be used for relocation assistance payments to Eligible Households. The amount of the deposit shall be determined by the Director, or their designee, and unused funds shall be returned to the applicant after all relocation assistance has been paid as verified by the relocation assistance agency and the City.
 4. Tenants requesting relocation assistance and/or a right of first refusal to a new unit must provide the information necessary to the relocation assistance agency who will determine their eligibility for said benefits and must file a claim form.
 5. **Payments.** Relocation assistance is paid per rental unit, not per tenant. If multiple households or individuals occupy a rental unit, relocation assistance shall be paid to the household or individual entitled to occupy a rental unit under a valid lease or rental agreement (written or oral) with the landlord.
 - a. **Timing.** After determination of eligibility, half of the relocation assistance shall be paid to the Eligible Household within fifteen (15) days of the date the claim form is submitted to the third-party agency and the remaining half shall be paid when the Eligible Household vacates the unit.
 - b. **Verification of Payments.** Prior to issuance of any building permits for the Hotel/Motel Conversion, the City must receive verification from the relocation assistance agency that all Eligible Households who applied and qualified for assistance have received relocation assistance. This verification shall be submitted in a form acceptable to the City.
- E. **Housing Crisis Act.** In addition to the benefits provided in this Section, existing tenants shall receive any benefits required by the Housing Crisis Act of 2019 (Government Code Section 66300 or successor provision).

CHAPTER 6. DEFINITIONS

The definitions below are provided in addition to the definitions located in Section 19.104.080 (Definitions) of the City of Buena Park's Zoning Code.

A - Definitions

ALCOHOLIC TREATMENT CENTER. An Alcoholic Treatment Center is a specialized facility or establishment designed and dedicated to providing comprehensive treatment, rehabilitation, counseling, and support services for individuals dealing with alcohol addiction or substance abuse. These centers offer a range of services such as detoxification, counseling, therapy, medical treatment, and ongoing support programs to help individuals recover from alcohol-related issues.

ANIMAL SALES AND GROOMING. A combined business or service that involves the sale of animals along with grooming services for these animals. In this establishment, customers can purchase animals like cats, or birds, (excluding dogs) and also have their pets groomed and maintained. Grooming services typically include activities like bathing, fur trimming, nail clipping, and hygiene care. This business serves pet owners by providing a one-stop location for acquiring and maintaining their beloved animal companions. Overnight care is not permitted.

ANTIQUÉ AND COLLECTIBLE SHOP. A retail establishment specializing in the sale of vintage or rare items over 50 years old, that hold historical, artistic, or collectible value. These items can include antique furniture, vintage clothing, rare books, fine art, and various collectibles like coins, toys, or memorabilia.

ARCADES. Establishments where four (4) or more mechanical or electronic amusement games are located, whether provided independently or as an accessory use to another business. These Objective Design and Development Standards mandate that the maximum size of an arcade does not exceed 3,000 square feet. However, arcades proposed to exceed this limit must obtain City Council approval. In no case shall an arcade exceed 10,000 square feet. Noise buffers/barriers are required to mitigate sound disturbances, and special protective measures apply to arcades located within 50 feet of residential areas to ensure a harmonious coexistence.

ART STUDIO/GALLERY. A workspace for artists, where they produce, experiment, and refine their artwork. Simultaneously, it acts as an exhibition venue or gallery where these artworks are displayed and offered for sale to the public.

ARTISAN SHOP. A retail establishment that specializes in offering handcrafted and artisanal products. Products found in artisan shops can range from handmade jewelry, ceramics, textiles, and woodwork to gourmet foods, cosmetics, and more.

AUTOMATED TELLER MACHINES (ATMS). A pedestrian- or vehicle-oriented machine used by bank and financial service patrons for conducting transactions including deposits, withdrawals, and fund transfers, without contact with financial institution personnel. The machines may be located at or within banks, or in other locations, in compliance with the City's Municipal Code. See "Banks and Financial Services".

B - Definitions

BANKS AND FINANCIAL SERVICES. A wide array of institutions and services responsible for managing, lending, investing, and safeguarding monetary assets. Banks are financial institutions that accept deposits, provide loans, and offer various financial products like savings and checking accounts.

BARBER SHOPS/BEAUTY SALONS. Establishments that offer a range of hair and beauty services to customers including hair styling, coloring, manicures, pedicures, and skincare treatments.

HOUSING INCENTIVE OVERLAY (HIO) OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS

BODY ART FACILITY/TATTOO SHOP. A specialized establishment where licensed professionals provide Body art. Body art includes tattooing, body piercing, permanent cosmetics, branding and micro-blading. Not included in the definition of body art is scarification, laser tattoo removal, micro needling and single-use, pre-sterilized ear-piercing services to clients. Body Art facilities and practitioners are regulated by the Orange County Health Department and requires all practitioners of body arts to register with the local health department.

BUFFER. Open spaces, landscaped areas, fences, walls, berms, or a combination of these or similar elements, used to physically and visually separate uses to mitigate the negative impacts of the more intense use (e.g., dust, glare, light, noise, odor, etc.). An appropriate buffer may vary depending on uses, districts, size, etc.

BUILDING FRONTAGE. That side of a building containing the main entrance for pedestrian entrance and exit. If more than one main entrance exists, the entrance that more nearly faces, or is oriented to, the street of highest classification as portrayed in the circulation element of the General Plan, shall be considered the building frontage. If all streets are of the same classification, the side of the building with the smallest horizontal lineal [linear] dimension containing a main entrance shall be considered the building frontage.

BUSINESS SUPPORT SERVICES. A range of professional services and assistance designed to help businesses operate efficiently and effectively. These services can include, but are not limited to administrative support, IT and technical support, human resources, marketing, consulting, and various other functions.

C - Definitions

CAFÉ. A cafe is a casual eatery where patrons can enjoy light meals, beverages, and social interactions. Typically characterized by a relaxed ambiance, cafes offer a variety of coffee, tea, and often a selection of pastries, sandwiches, or snacks. These establishments serve as community hubs, providing a welcoming space for individuals to unwind, work, or socialize.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA). Section 21000 et seq. of the Public Resources Code requires state, regional, county, and local agencies to conduct environmental review for any discretionary activity proposed to be carried out or approved by those agencies.

CATERING SERVICES. Professional food preparation and presentation services provided for events, gatherings, and occasions.

CLUB, SERVICE ORGANIZATION, OR COMMUNITY CENTER. A gathering place or institution designed to foster social, recreational, educational, or charitable activities within a specific community or group. Community centers serve as multipurpose facilities, offering various programs, resources, and events for the local population.

COCKTAIL LOUNGE, BAR. An establishment that primarily serves alcoholic beverages, cocktails, and sometimes light snacks in a social setting. These venues contain features like a bar counter, seating areas, and sometimes live music or televisions for sports events.

COMMUNITY GARDEN. A shared outdoor space within a residential community where residents collectively cultivate and maintain small individual garden plots.

CONSIGNMENT STORE. A retail establishment that sells second-hand goods, typically clothing, accessories, and sometimes furniture or other items, on behalf of individuals or consignors. Consignors bring their items to the store, which then displays, markets, and sells the items to the public. These stores do not sell vintage or rare items typically found in antique or collectible stores.

CONVENIENCE STORE. A small retail establishment that specializes in offering a wide range of everyday consumer products and necessities. These stores are typically open for extended hours or even 24/7.

CORNER LOT. A lot or parcel of land abutting upon two (2) or more streets at their intersection, or upon two (2) parts of the same street forming an interior angle of not more than one hundred thirty-five (135) degrees. If the intersection angle is more than one hundred thirty-five (135) degrees, the lot is considered an interior lot.

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D - Definitions

DAYLIGHT PLANE. A daylight plane refers to an imaginary sloping plane that extends from a specified point on a property boundary upward and outward. The purpose of the daylight plane is to preserve access to natural light and prevent overshadowing of neighboring properties or public spaces. Regulations related to the daylight plane dictate the angles and dimensions within which a building or structure is allowed to extend vertically, ensuring that sunlight reaches the ground level and neighboring properties. This planning tool is essential for maintaining adequate sunlight, minimizing the impact of shading, and promoting a well-lit and sustainable built environment.

DENSITY BONUSES. A density bonus is an increased residential density over the maximum authorized density which is granted to an owner/developer of a housing project agreeing to construct a prescribed percentage of affordable dwelling units pursuant to Government Code sections 65915—65918.

DENSITY, BASE. Base density refers to the maximum allowable gross residential density principally permitted under the Housing Incentive Overlays.

DENSITY, NET. Net density refers to the total number of dwelling units per acre of land to be developed for residential or mixed use, excluding allowed deductible areas. Allowed deductible areas are public dedications of land which are for public streets, public sidewalks, public open space, public drainage facilities. Non-allowed deductible areas include utility easements, setbacks, private drives and walkways, general landscaping, common areas and facilities, off street parking, and traditional drainage facilities exclusive to a development project. Mitigations required for development will not be included in the allowed deductible areas.

DENSITY, GROSS. Gross density includes all types of land uses, including parks, open spaces, and other non-residential land uses. This measure is calculated by dividing the total population by the total gross land area. Gross density often also includes infrastructure such as streets, sidewalks, and public spaces.

E - Definitions

EMERGENCY SHELTER. A facility that provides immediate and short-term housing (limited to occupancy of six (6) months or less) and minimal supplemental supportive services to homeless persons or families. Supplemental services may include counseling, food, and access to social programs. No individual or household may be denied emergency shelter because of an inability to pay (consistent with section 50675.14.(b) of the California Health and Safety Code).

F - Definitions

FLOOR AREA RATIO. The total gross area of all structures on a parcel is divided by the parcel area (FAR). For the purpose of calculating floor area, floor area shall (1) not include carports, elevator shafts, exterior courts, and garages; and (2) be calculated based on the exterior faces of walls.

G - Definitions

GARDEN CENTER/PLANT NURSERY. A retail establishment specializing in the sale of plants, gardening supplies, and related products. These centers offer a wide variety of plants, including flowers, shrubs, trees, and sometimes vegetables and herbs. In addition to plants, they provide gardening tools, soil, fertilizers, and expert advice on gardening and landscaping.

GROUP HOME. Group homes also known as group care facilities. As defined in Title 22 of the California Code of Regulations Section 80001(g)(1) and the California Welfare and Institutions Code Section 11400(h), means facilities of any capacity which provide twenty-four (24) hour care and supervision in a structured environment for children or adults, including, but not limited to foster care, elderly care, physically handicapped care, and care of persons with developmental disabilities. Group homes may provide social, psychological, and behavioral programs. The care and supervision provided by a group home shall be non-medical except as permitted by Welfare and Institutions Code Section 17736(b). See also “Community care facilities” and “Residential care facilities.”

HOUSING INCENTIVE OVERLAY (HIO) OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS

H - Definitions

HEALTH SPA OR SALON. A facility offering a range of beauty and wellness services to promote relaxation, rejuvenation, and self-care. These establishments provide services such as massages, facials, hairstyling, nail care, and skincare treatments. Health spas often emphasize therapeutic and holistic approaches, while salons focus on hair and nail services.

HOME DAY CARE FACILITY. See definition for “Small Group Adult Day Care Home” in Section 19.104.080.

HOME IMPROVEMENT SUPPLY STORE. A retail establishment that specializes in offering a wide range of products and materials for home renovation, construction, and DIY projects. These stores provide items like building materials, tools, paint, hardware, plumbing fixtures, electrical components, and home improvement accessories.

I - Definitions

INDEPENDENT LIVING FACILITY. A residential housing option designed for older adults who are generally active, healthy, and capable of living independently but seek a community that offers amenities, convenience, and social opportunities. These facilities provide private apartments, typically with kitchenettes, along with shared communal spaces, dining options, and various recreational and wellness programs.

INDOOR FITNESS AND SPORTS FACILITY, LARGE. An indoor venue designed to accommodate various physical fitness and sports activities within a restricted area no less than 3,000 square feet and no more than 6,500 square feet. These facilities are equipped with exercise equipment, courts, or designated spaces for activities like basketball, volleyball, or group fitness classes. Large indoor fitness and sports facilities proposed to exceed 6,500 square feet must obtain City Council approval. In no case shall a large indoor fitness and sports facility exceed 20,000 square feet within the Housing Incentive Overlays.

INDOOR FITNESS AND SPORTS FACILITY, SMALL. An indoor venue, limited to a maximum area of 3,000 square feet, designed for various physical fitness and sports activities. These smaller facilities are equipped with exercise equipment, courts, or designated spaces for activities like yoga, Pilates, small-group training, or limited-scale sports such as indoor soccer or racquet sports. Small indoor fitness and sports facilities proposed to exceed 3,000 square feet must obtain City Council approval. In no case shall a small indoor fitness and sports facility exceed 6,000 square feet within the Housing Incentive Overlays.

INTERIOR DECORATING STUDIO. A specialized design service that focuses on enhancing the aesthetics, functionality, and style of interior spaces. Interior decorators, or designers, work with clients to select color schemes, furniture, décor, and accessories, creating a cohesive and harmonious look for homes or commercial interiors.

MOTEL/HOTEL CONVERSION PERMIT. A permit issued by the Community and Economic Development Department upon satisfaction of the requirements in Chapter 5, to an eligible applicant to allow the permanent conversion of an existing transient residential structure, such as a Motel, Hotel, Apartment Hotel, or Transient Occupancy Residential Structure, for use as Supportive Housing or Transitional Housing for persons experiencing homelessness or those at risk of homelessness.

L - Definitions

LANDSCAPING. Areas devoted to, or developed and maintained predominantly with, native or exotic plant materials including lawn, groundcover, trees, shrubs, and other plant materials. Landscaping may also include small amounts of accessory decorative outdoor landscape elements (i.e., hardscape) such as pools, fountains, and paved or decorated surfaces, all of which are suitably designed, selected, installed, and maintained to enhance a site.

LAUNDROMAT, SELF-SERVICE. A facility where individuals can wash and dry their laundry independently using coin-operated or card-operated machines. These establishments provide a range of washing machines, dryers, and folding tables for customers to clean and maintain their clothing, linens, and other washable items. Self-service laundromats shall not exceed 6,000 square feet within the Housing Incentive Overlays.

HOUSING INCENTIVE OVERLAY (HIO) OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS

LIBRARY/MUSEUM/CULTURAL FACILITY. A versatile institution or building that serves as a hub for educational, artistic, and cultural activities. Libraries, museums, or cultural facilities shall be limited to a maximum of 20,000 square feet within the Housing Incentive Overlays.

LIVE/WORK DEVELOPMENT. An integrated dwelling unit and working space (e.g., the creation and retail sales of arts and crafts), occupied and utilized by a single housekeeping unit in a structure that has been modified or designed to accommodate joint residential occupancy and work activity located in a mixed-use Housing Incentive Overlay, and which includes complete kitchen and sanitary facilities in compliance with applicable building standards and working space reserved for and regularly used by one or more occupants of the unit. May include limited walk-in trade. Refer to Section 19.748.030 for Development Standards for Live/Work Units.

LOADING SPACE. An off-street space or area that is on the same lot as the building(s) it services; abuts a street, alley, or other appropriate means of access; and is used for the temporary parking of a commercial vehicle that is being loaded or unloaded with merchandise, materials, or people.

LOCAL PUBLIC AGENCY. An agency, identified on a list maintained by the Planning Department, that funds Supportive Housing and Transitional Housing for persons experiencing homelessness or at risk of homelessness. Unless stated otherwise by the Community Development Department, these agencies may include:

- California Department of Housing and Community Development (HCD)
- United States Department of Housing and Urban Development (HUD)
- Orange County Housing and Community Development
- Orange County Housing Authority
- Orange County Homeless Prevention

LOT DEPTH. The average linear distance between the front and rear lot lines.

LOT SIZE. The entire area within the boundaries of a project site or lot measured to the centerline of adjoining street rights-of-way.

LOT WIDTH. The average linear distance between the side lot lines measured at right angles to the line measuring lot depth. The width should be measured at a point midway between the front and rear lot lines.

M - Definitions

MAJOR UTILITIES. Fundamental infrastructure systems and services that provide essential resources to communities and society on a large scale. These include services such as water supply, sewage treatment, electricity generation and distribution, natural gas distribution, telecommunications, and transportation networks (such as roads and highways).

MINOR UTILITIES. The essential infrastructure systems, services, and facilities that support daily life but are often of smaller scale or lesser complexity when compared to major utilities. These typically include services such as water supply, sewage disposal, and natural gas distribution, as well as smaller-scale electric or telecommunication services.

MULTI-FAMILY DWELLING. In addition to the definition provided in Section 19.104.080, a "multi-family dwelling" is a type of residential building or structure where multiple individual dwelling units exist on a single lot or parcel of land. In other words, it refers to a building or property designed to accommodate more than one household. These dwelling units can vary in terms of layout, size, and configuration, and they are typically intended for separate occupancy by different families or individuals within the same structure. Multifamily dwellings can include apartment buildings, townhouses, condominiums, or any other type of housing where multiple households share a common piece of land or structure.

HOUSING INCENTIVE OVERLAY (HIO) OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS

O - Definitions

OPEN SPACE, COMMON. Outdoor areas (does not include walkways/driveways) within a development project that are not individually owned or dedicated for public use but are designed and intended for the common use or enjoyment of all residents/tenants of the development project.

OPEN SPACE, PRIVATE. An outdoor area (does not include walkways/driveways) within a development project that is reserved for use by the residents/tenants of a specific unit or portion of the site.

OPEN SPACE, PUBLIC. Any parcel or area of land or water set aside, dedicated, designated, or reserved for public use or enjoyment.

OUTDOOR RECREATION AREA. A designated open space where individuals and communities engage in various leisure and physical activities. They may feature amenities such as trails, playgrounds, sports fields, and facilities for camping or barbecues. Outdoor recreation areas shall be limited to a maximum of 10,000 square feet within the Housing Incentive Overlays.

OVERLAY ZONING DISTRICT, OR OVERLAY ZONE. A supplementary zoning designation that is applied to property in addition to a primary zoning district to highlight special regulations applicable to properties within the Housing Incentive Overlays. The overlay zoning districts established by Chapter 2 (Overlays and Uses) of these Objective Design and Development Standards.

P - Definitions

PUBLIC SAFETY FACILITY. A public safety facility is a governmentally owned and operated facility established to provide local police or fire safety services to the surrounding area.

PUBLIC SECURITY CENTER. A public security center is an accessory to a commercial or residential use, refers to a specialized facility established within or in close proximity to a commercial or residential property to provide added security and safety measures for the occupants, visitors, or patrons. This facility may include features such as surveillance systems, access control measures, security personnel stations, and other infrastructure or services intended to enhance the overall security of the property without comprising the primary commercial or residential function.

R - Definitions

RELIGIOUS INSTITUTION AFFILIATED HOUSING DEVELOPMENT PROJECT. A housing development project that is located on one or more contiguous parcels that are each owned entirely, whether directly or through a wholly owned company or corporation, by a religious institution. The housing development project qualifies as being near collocated religious-use parking by being any of the following: (1) Located on one or more parcels that collectively contain religious-use parking. (2) Located adjacent to a parcel owned by the religious institution that contains religious-use parking. (3) Located on one or more parcels separated by no more than 0.1 miles from a parcel owned by the religious institution that contains religious-use parking.

RELIGIOUS GROUP LIVING. A community or housing arrangement where individuals of the same faith or religious belief resides together. It involves shared living spaces, communal practices, and a collective commitment to religious principles. These communities can vary widely, from monastic dwellings to intentional religious communes.

S - Definitions

SCHOOLS, SPECIALIZED EDUCATION AND TRAINING/STUDIO. An educational institution or training center focused on specialized learning, typically within a smaller footprint. These facilities offer specialized training, such as art, music, dance, or vocational skills, to a limited number of students.

SCREENING. A method of visually shielding or obscuring one (1) abutting or nearby structure or use from another by fencing, walls, berms, or densely planted vegetation.

HOUSING INCENTIVE OVERLAY (HIO) OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS

SENATE BILL (SB) 330. SB 330 prohibits local jurisdictions from enacting new laws that would have the effect of reducing the legal limit on new housing within their borders, or delay new housing via administrative or other regulatory barriers. Through its expiration in 2030, SB 330 will:

- Prevent local governments from downzoning unless they upzone an equivalent amount elsewhere within their boundaries
- Suspend the enactment of local downzoning and housing construction moratoriums
- Require timely processing of housing permits that follow zoning rules
- Ensure the demolition of housing does not result in a net loss of units
- Postpone requirements for voter approval of zoning, general plan changes
- Require resettlement benefits and first right of refusal in new units or compensation for rehousing for renters who may be displaced.

SETBACK. The minimum distance by which buildings, structures, parking, or uses on a lot shall be separated from a street right-of-way or lot line. Setbacks from private streets are measured from the edge of the easement and/or the edge of the street.

SPECIALTY FOOD STORE. A retail establishment that specializes in offering a unique and curated selection of food products, often focusing on a specific category or theme. Examples include cheese shops, bakeries, organic food stores, and international food markets.

SUPPORTIVE HOUSING. Housing with no limit on length of stay for persons with low incomes who have one or more disabilities and may include, among other populations, adults, emancipated minors, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, and homeless people. The housing is linked to onsite or offsite Supportive Services, and any Floor Area used for the delivery of Supportive Services shall be considered accessory to the residential use.

SUPPORTIVE SERVICES. Services that are provided on a voluntary basis to residents of Supportive Housing and Transitional Housing, including, but not limited to, a combination of subsidized, permanent housing, intensive case management, medical and mental health care, substance abuse treatment, employment services, benefits advocacy, and other services or service referrals necessary to obtain and maintain housing.

T - Definitions

TRANSITIONAL HOUSING. A building where housing linked to Supportive Services is offered, usually for a period of up to 24 months, to facilitate movement to permanent housing for persons with low incomes who may have one or more disabilities, and may include adults, emancipated minors, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, and homeless people.

TUTORING CENTER, SMALL. An educational facility designed to provide individualized or small-group tutoring services to students. These centers offer focused academic support, typically in core subjects like math, science, language, or test preparation. Small tutoring centers shall be limited to a maximum of 2,000 square feet within the Housing Incentive Overlays.