



## **Z** City of Yorba Linda, Yorba Linda Housing Element Implementation General Plan Amendments and Rezoning

Shall ordinances be adopted amending General Plan/Zoning requirements allowing housing units, some with increased heights, to meet state-mandated laws at: Rose/Blake, Yorba Linda/Mountain View, Lemon/Plumosa, Old Canal/Eastpark, mideast Oakcrest, Imperial/Bastanchury, Richfield (south of Calgary), Yorba Linda/Liverpool, Highland/Mountain View, Yorba Linda/Ohio (2 sites), Eureka/Oak Leaf, Eureka/Bastanchury, Prospect/Imperial, northeast Altrudy, Eureka/Mark, Eureka/Buena Vida, Imperial (west of Casa Loma), and Bastanchury/Plumosa?

### What your vote means

YES	NO
A “yes” vote, as part of the City’s effort to comply with State housing laws, would amend the City’s land use requirements to increase the allowable number of residential units, along with maximum building heights, that can be built at certain specified locations within the City if a property owner decided to develop his or her property.	A “no” vote would not amend the City’s land use requirements and the allowable number of residential units, along with maximum building heights, that can be built at certain specified locations within the City would remain as currently allowed by City requirements.

### For and against

FOR	AGAINST
Beth Haney Gene Hernandez	Russell Heine Patricia A. Heine Kyle Taylor Janice Morger Steve Harms

Ballot Measures-ZFull Text of Measure Z  
City of Yorba Linda

## ORDINANCE NO. 2022-1091

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YORBA LINDA AMENDING THE TEXT OF THE LAND USE ELEMENT AND AMENDING THE LAND USE DIAGRAM OF THE YORBA LINDA GENERAL PLAN (GENERAL PLAN AMENDMENT 2022-02) PURSUANT TO THE IMPLEMENTATION PROGRAMS OF THE CITY OF YORBA LINDA 2021-2029 HOUSING ELEMENT, WITH THE ADOPTION OF EACH INDIVIDUAL ITEM IDENTIFIED IN GENERAL PLAN AMENDMENT 2022-02 CONTINGENT UPON APPROVAL BY A MAJORITY VOTE OF THE ELECTORATE OF THE CITY OF YORBA LINDA IN COMPLIANCE WITH THE YORBA LINDA RIGHT-TO-VOTE AMENDMENT**

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

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

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

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

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

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

**WHEREAS**, since October 2020, City staff conducted numerous study sessions and community workshops with stakeholders, consultants, and members of the public to comment and provide direction on the content of the City's draft housing element; and

**WHEREAS**, since October 2020, the City Council for the City of Yorba Linda (City Council) and Planning Commission of the City of Yorba Linda (Planning Commission) held study and scoping sessions at public meetings to inform and receive comments from the general public regarding the procedure and required content of the City's housing element; and

**WHEREAS**, the Planning Commission on multiple dates between February 24, 2021 and July 28, 2021, and the City Council on August 3, 2021, reviewed a draft of the City's housing element that, in accordance with State law, was submitted to HCD for review and comment; and

**WHEREAS**, since submitting the City's draft housing element to HCD, City and HCD staff have reviewed and revised the draft housing element to accommodate all State-mandated content, and the City Council and Planning Commission have periodically held public meetings to inform and receive comments from stakeholders, consultants, and members of the public with respect to the draft housing element process; and

**WHEREAS**, on January 12, 2022, the Planning Commission conducted a public hearing recommending that the City Council approve the final Housing Element; and

**WHEREAS**, on February 9, 2022, the City Council conducted a public hearing approving the 2021-2029 Housing Element; and

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

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

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

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

**WHEREAS**, the City Council has determined that the proposed amendments to specified provisions in the City of Yorba Linda Land Use Diagram, as identified in Exhibit "A" attached to this Ordinance and incorporated herein by this reference ("General Plan Amendment 2022-02"), each constitute a "Major Amendment" as defined in the Yorba Linda Right-to-Vote Amendment (Measure B) and are therefore individually and/or collectively subject to the approval of a majority vote of the electorate of the City to become effective; and

**WHEREAS**, General Plan Amendment 2022-02 would amend the Land Use Element of the General Plan to increase the total residential capacity in the Community Core/Downtown Historical District Area Plan by 120 dwelling units to account for Sites S3-103, S3-074, and S4-075; and

Ballot Measures-Z

**WHEREAS**, General Plan Amendment 2022-02 would amend the Land Use Element of the General Plan to increase the total residential capacity in the West Bastanchury Area Plan by 228 dwelling units to account for Site S3-203; and

**WHEREAS**, General Plan Amendment 2022-02 would amend the Land Use Diagram by changing the land use designations for the following sites to “Residential - High”: APN #322-061-01, -08, -10, -12 -13, -14, -15, -16, -17, -18, -18, -19, -20, -21 (Site S1-200), APN #323-081-35, -36 (Site S4-204B), APN #323-071-03 (Site S3-034), APN #343-561-08, -09 (Site S3-205A), APN #323-051-26, -27 (Site S3-211), APN #326-081-01 (Site 05-008), APN #323-231-18, -19 (Site S4-200); and

**WHEREAS**, General Plan Amendment 2022-02 includes provisions that are part of the implementation programs and implementing actions of the adopted Housing Element, and is necessary to ensure that the Land Use Element and Housing Element will be internally consistent within the City’s General Plan, as required by State law; and

**WHEREAS**, the proposed revisions in General Plan Amendment 2022-02 are internally consistent with the other elements of the General Plan; and

**WHEREAS**, notices of a public hearing were published, posted, and delivered in accordance with State and City laws for the consideration by the Planning Commission of the proposed amendments to the Land Use Element of the General Plan and General Plan Land Use Diagram (referred to herein as “General Plan Amendment 2022-02”) as part of the consideration of the proposed Housing Element and implementation programs included therein; and

**WHEREAS**, General Plan Amendment 2022-02 as identified in Exhibit “A” attached to this Ordinance, includes all of the amendments to the General Plan and General Plan Land Use Diagram that constitute a “Major Amendment” as defined in the Yorba Linda Right-to-Vote Amendment (Measure B) and are therefore individually and/or collectively subject to the approval of a majority vote of the electorate of the City to become effective. General Plan Amendment 2022-01 includes all of the amendments to the General Plan that do not constitute “Major Amendments” as defined in the Yorba Linda Right-to-Vote Amendment (Measure B) and are therefore not subject to the approval of a majority vote of the electorate of the City to become effective.; and

**WHEREAS**, in accordance with State and City laws, on June 29, 2022, the Planning Commission conducted a public hearing to receive public testimony with respect to General Plan Amendment 2022-02 as part of the consideration of the adopted Housing Element implementation programs included therein; and

**WHEREAS**, the Planning Commission considered the information provided by City staff, the public testimony, and the evidence presented at the Planning Commission public hearing on June 29, 2022, which includes, without limitation, the staff reports submitted by the Community Development Department; and

**WHEREAS**, on June 29, 2022, the Planning Commission, at a regular public meeting, considered and decided to recommend to the City Council the approval of General Plan Amendment 2022-02, subject to compliance, as applicable, with the requirements of Yorba Linda Right-to-Vote Amendment (Measure B), in furtherance of the implementation programs included in the Housing Element; and

**WHEREAS**, notices of a public hearing were published, posted, and delivered in accordance with State and City laws for the consideration by the City Council of General Plan Amendment 2022-02 as part of the consideration of the adopted Housing Element implementation programs included therein; and

**WHEREAS**, in accordance with State and City laws, on August 2, 2022, the City Council conducted a public hearing to receive public testimony with respect to General Plan Amendment 2022-02 as part of the consideration of the Housing Element implementation programs included therein; and

**WHEREAS**, the City Council considered the information provided by City staff, the public testimony, and the evidence presented at the public hearing on August 2, 2022, which includes, without limitation, the staff reports submitted by the Community Development Department; and

**WHEREAS**, the City Council deferred any General Plan Amendments related to the following sites: APN #343-591-05, -06, -07, -25 (Site S3-207), APN 323-081-01 (Site S5-008), and APN 353-091-04, -05, -06, -12 (Site S7-001) until a later date in order to allow staff more time to potentially identify additional housing sites that could be included in order to reduce the total number of housing units assigned to these each of these sites, which is consistent with the timeline established in Program 8 of the City’s adopted and State-certified Housing Element, as well as the time extension approved through Senate Bill 197 and Government Code Section 65583.4.

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

Section 1. The above recitals are true and correct and incorporated herein.

Section 2. The City Council has read and considered the amendments to the General Plan (referred to herein as “General Plan Amendment 2022-02”) as part of the consideration of the adopted Housing Element implementation programs included therein.

Section 3. The City Council finds that General Plan Amendment 2022-02 is necessary to ensure that the Zoning Code and Zoning Code Map are consistent within the City’s General Plan.

Section 4. The City Council finds that General Plan Amendment 2022-02 is necessary to implement the Housing Element programs established in the 2021-2029 Housing Element, and as approved by the State of California, and would permit and encourage the development of affordable housing opportunities pursuant to the Regional Housing Needs Assessment (RHNA) requirements, as set forth in the Housing Element Law and applicable State Guidelines, in locations adjacent to supporting services and public transportation provided they are compatible with, and will not adversely impact, the integrity and continuity of adjacent uses.

Section 5. The City Council hereby accepts the recommendation of the Planning Commission as modified herein to adopt General Plan Amendment 2022-02 as part of the consideration of the adopted Housing Element implementation programs included therein.

Section 6. The City Council hereby adopts General Plan Amendment 2022-02, subject to each item identified therein to become effective



# Ballot Measures-Z

only upon the approval by a majority vote of the electorate of the City of Yorba Linda voting "YES" on a ballot measure for the adoption of that item of General Plan Amendment 2022-02 at a duly noticed and held regular or special election of the electorate of the City of Yorba Linda.

Section 7. Pursuant to Elections Code section 9222, the City Council by subsequent ordinance or resolution shall identify the date of the election during which items identified in General Plan Amendment 2022-02 will be submitted for consideration by the electorate of the City of Yorba Linda, which election date shall be held not less than eighty-eight (88) days after the date of the subsequent ordinance or Ordinance ordering the election. Upon the ordering of the election by the City Council, the City Clerk shall be authorized and directed to take any and all necessary and proper actions to submit any identified items in General Plan Amendment 2022-02 to a vote of the electorate of the City of Yorba Linda in accordance with applicable State, County, and City laws, including the Yorba Linda Right-to-Vote Amendment (Measure B). The City Council hereby reserves the authority to submit the items identified in General Plan Amendment 2022-02 to a vote of the electorate of the City of Yorba Linda in separate elections. None of the items identified in General Plan Amendment 2022-02 shall take effect until approved by a majority vote of the electorate of the City of Yorba Linda.

Section 8. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of Yorba Linda hereby declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions thereof may be declared invalid or unconstitutional.

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

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



# Ballot Measures-Z

## EXHIBIT "A"

**GENERAL PLAN AMENDMENT 2022-02**  
(Comprised of Item #1 – Item #9)

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

Item No.	Page/Location	Amendment/Change
1	LU-25	Allowing multi-family housing at up to 35 DU/AC may be considered for specified sites within SAVI Ranch.
2	LU-26	Increase the total residential capacity in the Community Core/Downtown Historical District Area Plan by 120 dwelling units to account for Sites S3-103, S3-074, and S4-075
3	LU-28	Increase the total residential capacity in the West Bastanchury Area Plan by 228 dwelling units to account for Site S3-203

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

Item No.	Page/Location	Site No.	Site Description	Amendment/Change
4	Map	Site S1-200	APN #322-061-01, -08, -10, -12 -13, -14, -15, -16, -17, -18, -18, -19, -20, -21	Replace Land Use Diagram with updated version showing that the land use designation for this site has changed from "Residential – Medium Low" to "Residential - High".
5	Map	Site S4-200	APN #323-231-18, -19	Replace Land Use Diagram with updated version showing that the land use designation for this site has changed from "Residential – Medium" to "Residential - High"
6	Map	Site S4-204B	APN 323-081-35, -36	Replace Land Use Diagram with updated version showing that the land use designation for this site has changed from "Residential – Medium Low" to "Residential - High"
7	Map	Site S3-034	APN #343-071-03	Replace Land Use Diagram with updated version showing that the land use designation for this site has changed from "Residential – Medium" to "Residential - High"
8	Map	Site S3-205A	APN #343-561-08, -09	Replace Land Use Diagram with updated version showing that the land use designation for this site has changed from "Residential – Medium Low" to "Residential - High"
9	Map	Site S3-211	APN #323-051-26, -27	Replace Land Use Diagram with updated version showing that the land use designation for this site has changed from "Residential – Medium" to "Residential - High"



# Ballot Measures-Z

## ORDINANCE NO. 2022-1093

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YORBA LINDA AMENDING THE CITY OF YORBA LINDA ZONING CODE AND ZONING MAP (ZONING CODE AMENDMENT 2022-02) PURSUANT TO THE IMPLEMENTATION PROGRAMS OF THE CITY OF YORBA LINDA 2021-2029 HOUSING ELEMENT, WITH THE ADOPTION OF EACH INDIVIDUAL ITEM IDENTIFIED IN ZONING CODE AMENDMENT 2022-02 CONTINGENT UPON APPROVAL BY A MAJORITY VOTE OF THE ELECTORATE OF THE CITY OF YORBA LINDA IN COMPLIANCE WITH THE YORBA LINDA RIGHT-TO-VOTE AMENDMENT**

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

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

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

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

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

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

**WHEREAS**, since October 2020, City staff conducted numerous study sessions and community workshops with stakeholders, consultants, and members of the public to comment and provide direction on the content of the City’s draft housing element; and

**WHEREAS**, since October 2020, the City Council for the City of Yorba Linda (City Council) and Planning Commission of the City of Yorba Linda (Planning Commission) held study and scoping sessions at public meetings to inform and receive comments from the general public regarding the procedure and required content of the City’s housing element; and

**WHEREAS**, the Planning Commission on multiple dates between February 24, 2021 and July 28, 2021, and the City Council on August 3, 2021, reviewed a draft of the City’s housing element that, in accordance with State law, was submitted to HCD for review and comment; and

**WHEREAS**, since submitting the City’s draft housing element to HCD, City and HCD staff have reviewed and revised the draft housing element to accommodate all State-mandated content, and the City Council and Planning Commission have periodically held public meetings to inform and receive comments from stakeholders, consultants, and members of the public with respect to the draft housing element process; and

**WHEREAS**, on January 12, 2022, the Planning Commission conducted a public hearing recommending that the City Council approve the final Housing Element; and

**WHEREAS**, on February 9, 2022, the City Council conducted a public hearing approving the 2021-2029 Housing Element; and

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

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

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

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

**WHEREAS**, the City Council has determined that the proposed amendments to specified provisions in the City of Yorba Linda Zoning Code (Title 18 of the Yorba Linda Municipal Code) and the Zoning Map, as identified in Exhibit “A” attached to this Ordinance and incorporated herein by this reference (“Zoning Code Amendment 2022-02”), each constitute a “Major Amendment” as defined in the Yorba Linda Right-to-Vote Amendment (Measure B) and are therefore individually and/or collectively subject to the approval of a majority vote of the electorate of the City to become effective; and

**WHEREAS**, Zoning Code Amendment 2022-02 would amend Table 18.10-2 (Residential Development Standards) to modify the maximum building height in the RM-20 zoning designation to “40 feet or 3 stories, whichever is less”; and

**WHEREAS**, Zoning Code Amendment 2022-01 would amend the text of the West Bastanchury Planned Development (PD) for District II to



# Ballot Measures-Z

create Area A, which would adhere to the existing District II development standards, for the following sites: APN #323-181-03, #323-191-10 through 44, and #323-201-08 through 39; and to create Area B, which would adhere to the RM (Residential Multi-family) zone development standards for the following sites: APN# 323-181-04, -05, 06, -07, and #323-191-06, -07, -46; and

**WHEREAS**, Zone Change 2022-02, which consists of proposed amendments to the Zoning Map, as identified in Exhibit "A", is considered to be a part of Zoning Code Amendment 2022-02; and

**WHEREAS**, Zone Change 2022-02 would amend the Zoning Map by changing the zoning designations for the following sites to "Residential Multiple Family" (R-M) to allow a maximum residential density of ten (10) dwelling units per acre: APN #323-071-03 (Site S3-034), APN #343-561-08, -09 (Site S3-205A), APN #323-051-26, -27 (Site S3-211); and

**WHEREAS**, Zone Change 2022-02 would amend the Zoning Map by changing the zoning designations for the following sites to "Residential Multiple Family 20" (RM-20) to allow a maximum residential density of twenty (20) dwelling units per acre and a maximum building height of forty (40) feet or three stories, whichever is less: APN #322-061-01, -08, -10, -12, -13, -14, -15, -16, -17, -18, -18, -19, -20, -21 (Site S1-200), APN #343-582-01, -02 (Site S3-074), APN #323-311-03 (Site S4-075), APN #323-231-18, -19 (Site S4-200), APN #323-081-35, -36 (Site S4-204B); and

**WHEREAS**, Zone Change 2022-02 would amend the Zoning Map by adding the "Affordable Housing Overlay" zoning designation to the following sites to allow a maximum residential density of thirty-five (35) dwelling units per acre and a maximum building height of forty (40) feet or three (3) stories, whichever is less: APN #322-061-01, -08, -10, -12, -13, -14, -15, -16, -17, -18, -18, -19, -20, -21 (Site S1-200), APN #343-582-01, -02 (Site S3-074), APN #323-311-03 (Site S4-075), APN #352-115-08 (Site S6-015), APN #352-117-09, -11, -12 (Site S6-020) and

**WHEREAS**, Zone Change 2022-02 would amend the Zoning Map by adding the "Congregational Lands Overlay" zoning designation to the following sites to allow a maximum residential density of thirty-five (35) dwelling units per acre and a maximum building height of forty (40) feet or three (3) stories, whichever is less: APN #322-173-04, -07 (Site S2-008), APN # 343-591-01, -02, -03 (Site S3-012), APN #334-292-18 (Site S2-013), APN #343-581-09, 343-582-12 (Site S3-103), APN #323-171-07, -08, -09 (Site S3-210), APN #323-081-34 (Site S4-204A), APN #323-092-13 (Site S3-033); and

**WHEREAS**, Zone Change 2022-02 would amend the Zoning Map by adding the "Mixed Use Overlay" zoning designation to the following site to allow a maximum residential density of thirty-five (35) dwelling units per acre and a maximum building height of fifty (50) feet or four (4) stories, whichever is less: APN #322-121-07, -08 (Site S1-021); and

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

**WHEREAS**, Zoning Code Amendment 2022-02 includes provisions that are part of the implementation programs and implementing actions of the adopted Housing Element, and is necessary to ensure that the City's Zoning Code is consistent with the City's General Plan, as required by State law; and

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

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

**WHEREAS**, Zoning Code Amendment 2022-02, as identified in Exhibit "A" attached to this Ordinance, includes all of the amendments to the Zoning Code that constitute "Major Amendments" as defined in the Yorba Linda Right-to-Vote Amendment (Measure B) and are therefore individually and/or collectively subject to the approval of a majority vote of the electorate of the City to become effective. Zoning Code Amendment 2022-01 includes all of the amendments to the Zoning Code and Zoning Map that do not constitute a "Major Amendment" as defined in the Yorba Linda Right-to-Vote Amendment (Measure B) and are therefore not subject to the approval of a majority vote of the electorate of the City to become effective; and

**WHEREAS**, in accordance with State and City laws, on June 29, 2022, the Planning Commission conducted a public hearing to receive public testimony with respect to Zoning Code Amendment 2022-02 as part of the consideration of the adopted Housing Element implementation programs included therein; and

**WHEREAS**, the Planning Commission considered the information provided by City staff, the public testimony, and the evidence presented at the Planning Commission public hearing on June 29, 2022, which includes, without limitation, the staff reports submitted by the Community Development Department; and

**WHEREAS**, on June 29, 2022, the Planning Commission, at a regular public meeting, considered and decided to recommend to the City Council the approval of Zoning Code Amendment 2022-02, subject to compliance, as applicable, with the requirements of Yorba Linda Right-to-Vote Amendment (Measure B), in furtherance of the implementation programs included in the Housing Element; and

**WHEREAS**, notices of a public hearing were published, posted, and delivered in accordance with State and City laws for the consideration by the City Council of Zoning Code Amendment 2022-02 as part of the consideration of the adopted Housing Element implementation programs included therein; and

**WHEREAS**, in accordance with State and City laws, on August 2, 2022, the City Council conducted a public hearing to receive public testimony with respect to Zoning Code Amendment 2022-02 as part of the consideration of the Housing Element and implementation programs included therein; and

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



# Ballot Measures-Z

hearing on August 2, 2022, which includes, without limitation, the staff reports submitted by the Community Development Department; and

**WHEREAS**, the City Council deferred any Zoning Code Amendments related to the following sites: APN #343-591-05, -06, -07, -25 (Site S3-207), APN 323-081-01 (Site S5-008), and APN 353-091-04, -05, -06, -12 (Site S7-001) until a later date in order to allow staff more time to potentially identify additional housing sites that could be included in order to reduce the total number of housing units assigned to each of these sites, which is consistent with the timeline established in Program 8 of the City’s adopted and State-certified Housing Element, as well as the time extension approved through Senate Bill 197 and Government Code Section 65583.4.

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

Section 1. The above recitals are true and correct and incorporated herein.

Section 2. The City Council has read and considered the amendments to the Zoning Code (referred to herein as “Zoning Code Amendment 2022-02”) as part of the consideration of the adopted Housing Element implementation programs included therein.

Section 3. The City Council finds that Zoning Code Amendment 2022-02 is necessary to ensure that the Zoning Code is consistent within the City’s General Plan.

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

Section 5. The City Council hereby accepts the recommendation of the Planning Commission as modified herein to adopt Zoning Code Amendment 2022-02, which includes Zone Change 2022-02, as part of the consideration of the adopted Housing Element implementation programs included therein.

Section 6. The City Council hereby adopts Zoning Code Amendment 2022-02, which includes Zone Change 2022-02, subject to each item identified therein to become effective only upon the approval by a majority vote of the electorate of the City of Yorba Linda voting “YES” on a ballot measure for the adoption of that item of Zoning Code Amendment 2022-02 at a duly noticed and held regular or special election of the electorate of the City of Yorba Linda.

Section 7. Pursuant to Elections Code section 9222, the City Council by subsequent ordinance or resolution shall identify the date of the election during which items identified in Zoning Code Amendment 2022-02, including Zone Change 2022-02, will be submitted for consideration by the electorate of the City of Yorba Linda, which election date shall be held not less than eighty-eight (88) days after the date of the subsequent ordinance or resolution ordering the election. Upon the ordering of the election by the City Council, the City Clerk shall be authorized and directed to take any and all necessary and proper actions to submit any identified items in Zoning Code Amendment 2022-02 to a vote of the electorate of the City of Yorba Linda in accordance with applicable State, County, and City laws, including the Yorba Linda Right-to-Vote Amendment (Measure B). The City Council hereby reserves the authority to submit the items identified in Zoning Code Amendment 2022-02, including Zone Change 2022-02, to a vote of the electorate of the City of Yorba Linda in separate elections. None of the items identified in Zoning Code Amendment 2022-02, including Zone Change 2022-02, shall take effect until approved by a majority vote of the electorate of the City of Yorba Linda.

Section 8. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of Yorba Linda hereby declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions thereof may be declared invalid or unconstitutional.

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

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

**EXHIBIT “A”**

**Zoning Code Amendment 2022-02  
(Comprised of Item #1 – Item #19)**

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

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



# Ballot Measures-Z

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



Standard	Zones							
	R-A	RLD	R-E	R-S	R-U	R-M	R-M-20	R-M-30
Maximum density (units per acre)	1.0	1.0	1.8	3.0	4.0	10.0	20.0	30.0
Minimum lot size <sup>1</sup>	1 acre	39,000 sq. ft.	15,000 sq. ft.	10,000 sq. ft.	7,500 sq. ft.	15,000 sq ft	1 acre	1 acre
Minimum lot width	130 ft.	110 ft.	100 ft.	80 ft.	75 ft.	100 ft.(corner) 125 ft.(interior)	135 ft. (corner) 165 ft. (interior)	135 ft. (corner) 165 ft. (interior)
Minimum lot depth	150 ft.	170 ft.	150 ft.	100 ft.	100 ft.	100 ft.(corner) 125 ft.(interior)	135 ft. (corner) 165 ft. (interior)	135 ft. (corner) 165 ft. (interior)
Maximum lot coverage	35%	35%	35%	35%	40%	45%	65%	70%
Maximum building height	35 feet, or 2 stories, whichever is less <sup>2</sup>						40 feet or 3 stories, whichever is less	50 feet or 4 stories, whichever is less
Minimum front yard setback	40 ft.	35 ft.	30 ft.	25 ft.	20 ft.	20 ft.	20 ft.	20 ft.
Minimum side yard setback (interior)	-- <sup>3</sup>	-- <sup>3</sup>	-- <sup>3</sup>	10 ft.	-- <sup>4</sup>	-- <sup>4</sup>	-- <sup>4</sup>	-- <sup>4</sup>
Minimum side yard setback (street)	-- <sup>3</sup>	-- <sup>3</sup>	-- <sup>3</sup>	10 ft.	10 ft.	10 ft. <sup>5</sup>	10 ft. <sup>5</sup>	10 ft. <sup>5</sup>
Minimum rear yard setback	45 ft.	40 ft.	25 ft.	25 ft.	25 ft.	20 ft.	20 ft.	20 ft.
Minimum building separation <sup>6</sup>	10 ft.	10 ft.	10 ft.	10 ft.	10 ft.	10 ft.	20 ft.	20 ft.
Minimum dwelling size	1,500 sq. ft.	1,500 sq. ft.	1,500 sq. ft.	1,500 sq. ft.	1,300 sq. ft.	Studio = 750 sq. ft., 1 BR = 900 sq. ft., 2 BR = 1,000 sq. ft., 3 BR = 1,200 sq. ft.	Studio = 550 sq. ft., 1 BR = 675 sq. ft., 2 BR = 700 sq. ft., 3 BR = 900 sq. ft.	Studio = 550 sq. ft., 1 BR = 675 sq. ft., 2 BR = 700 sq. ft., 3 BR = 900 sq. ft.
Minimum parking per dwelling unit	2 covered + 1 covered or uncovered	2 covered + 1 covered or uncovered	2 covered + 1 covered or uncovered	2 covered + 1 covered or uncovered	2 covered + 1 covered or uncovered	Studio – 2 bdrm = 2 covered plus 1 covered or uncovered  3+ bdrm = 2 covered plus 1.5 covered or uncovered	Studio = 1 covered; 1bdrm = 1 covered + 0.8 uncovered; 2 bdrm = 1 covered + 1 uncovered; 3+ bdrm = 1 covered + 1 uncovered  Guest: Studio = 0.75 per unit; 1 bdrm = 0.5 per unit; 2 bdrms = 0.5 per unit; 3 or more bdrms = 1.5 per unit	Studio = 1 covered; 1bd = 1 covered + 0.8 uncovered; 2bd = 1 covered + 1 uncovered, 3+ bdrm = 1 covered + 1 uncovered,  Guest: Studio = 0.75 per unit; 1 bdrm = 0.5 per unit; 2 bdrms = 0.5 per unit; 3 or more bdrms = 1.5 per unit

<sup>1</sup> Any legally established lot that is at least 4,000 sq. ft. and has a minimum twenty foot (20') wide vehicular access to a street may be used as a building site.

<sup>2</sup> Steeples, crosses and other religious symbols on churches and religious institutions may exceed the height limit in accordance with Section 18.24.110. See also Section 18.10.110.H and Section 18.26.030 of the Zoning Code for additional design standards related to height determinations for structures.

<sup>3</sup> Side yard setbacks in R-A, RLD and R-E zones shall be ten percent (10%) of the lot width, but not less than ten (10) feet, and need be no more than twenty (20) feet.

# Ballot Measures-Z



4 Interior side yard setbacks in R-U and R-M, R-M-20, and R-M-30 zones shall have a cumulative total of both side yards of twenty (20) feet; however, in no case shall a side yard be less than five (5) feet.

5 Front yard setback requirements shall be applied to all property frontages facing public streets for the R-M, R-M-20, and R-M-30 zones.

6 The required 10-foot building separation standard shall not apply to small accessory structures as defined in Section 18.10.120.B. However, if the combined area of multiple small accessory structures located within three (3) feet of each other exceeds a combined one hundred twenty (120) square feet, each structure shall be considered a large accessory structure.

7 Residential properties having a slope gradient of 15 percent (15%) or greater shall comply with the regulations contained in Chapter 18.30 of this title.

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

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

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

The zoning for the proposed rezoning site located at 18132 Yorba Linda Blvd – APN #334-101-39, -40 (Site S3-074) will change from “Commercial – General” (CG) to “Residential Multiple-Family 20” (RM-20) to allow a maximum residential density of twenty (20) dwelling units per acre and a maximum building height of forty (40) feet or three (3) stories, whichever is less. The site will also be subject to the “Affordable Housing Overlay” (AFO) which will allow a maximum residential density of thirty-five (35) dwelling units per acre and a maximum building height of forty (40) feet or three (3) stories, whichever is less.

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

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

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

The zoning for the proposed rezoning site located at 22722 Old Canal Road – APN #352-117-09, -11, -12 (Site S6-015) will remain in the Savi Ranch Planned Development (PD) and will also be subject to the “Affordable Housing Overlay” (AFO) which will allow a maximum residential density of thirty-five (35) dwelling units per acre and a maximum building height of fifty (50) feet or four (4) stories, whichever is less.

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

The zoning for the proposed rezoning site located at 22711 Oak Crest Circle – APN #352-115-08 (Site S6-020) will remain in the Savi Ranch Planned Development (PD) and will also be subject to the “Affordable Housing Overlay” (AFO) which will allow a maximum residential density of thirty-five (35) dwelling units per acre and a maximum building height of fifty (50) feet or four (4) stories, whichever is less.

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

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

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

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

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

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

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

The zoning for the proposed rezoning site located at 5091 and 5005 Mountain View – APN #343-581-09, 343-582-12 (Site S3-103) will remain as “Residential Estate” (RE) and will also be subject to the “Congregational Lands Overlay” (CLO) which will allow a maximum residential density of thirty-five (35) dwelling units per acre and a maximum building height of forty (40) feet or three (3) stories, whichever is less.

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

The zoning for the proposed rezoning site located at 19045 Yorba Linda Blvd – APN #323-081-34 (Site S4-204A) will remain as “Residential Estate” (RE) and will also be subject to the “Congregational Lands Overlay” (CLO) which will allow a maximum residential density of thirty-five (35) dwelling units per acre and a maximum building height of forty (40) feet or three (3) stories, whichever is less.

Ballot Measures-ZITEM #12. The Yorba Linda Zoning Map is amended as follows:

The zoning for the proposed rezoning site located at 4382 Eureka Ave – APN #323-092-13 (Site S3-033) will remain as “Residential Suburban” (RS) and will also be subject to the “Congregational Lands Overlay” (CLO) which will allow a maximum residential density of thirty-five (35) dwelling units per acre and a maximum building height of forty (40) feet or three (3) stories, whichever is less.

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

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

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

The zoning for the proposed rezoning site located at 16951 Imperial Highway – APN #322-121-07, -08 (Site S1-021) will remain as “Commercial General” (CG) in the “Imperial Highway Combining Zone” (I) and will also be subject to the “Mixed-Use Overlay” (MUO) which will allow a maximum residential density of thirty-five (35) dwelling units per acre and a maximum building height of fifty (50) feet or four (4) stories, whichever is less.

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

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

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

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

ITEM #17. The Yorba Linda Zoning Map is amended as follows:

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

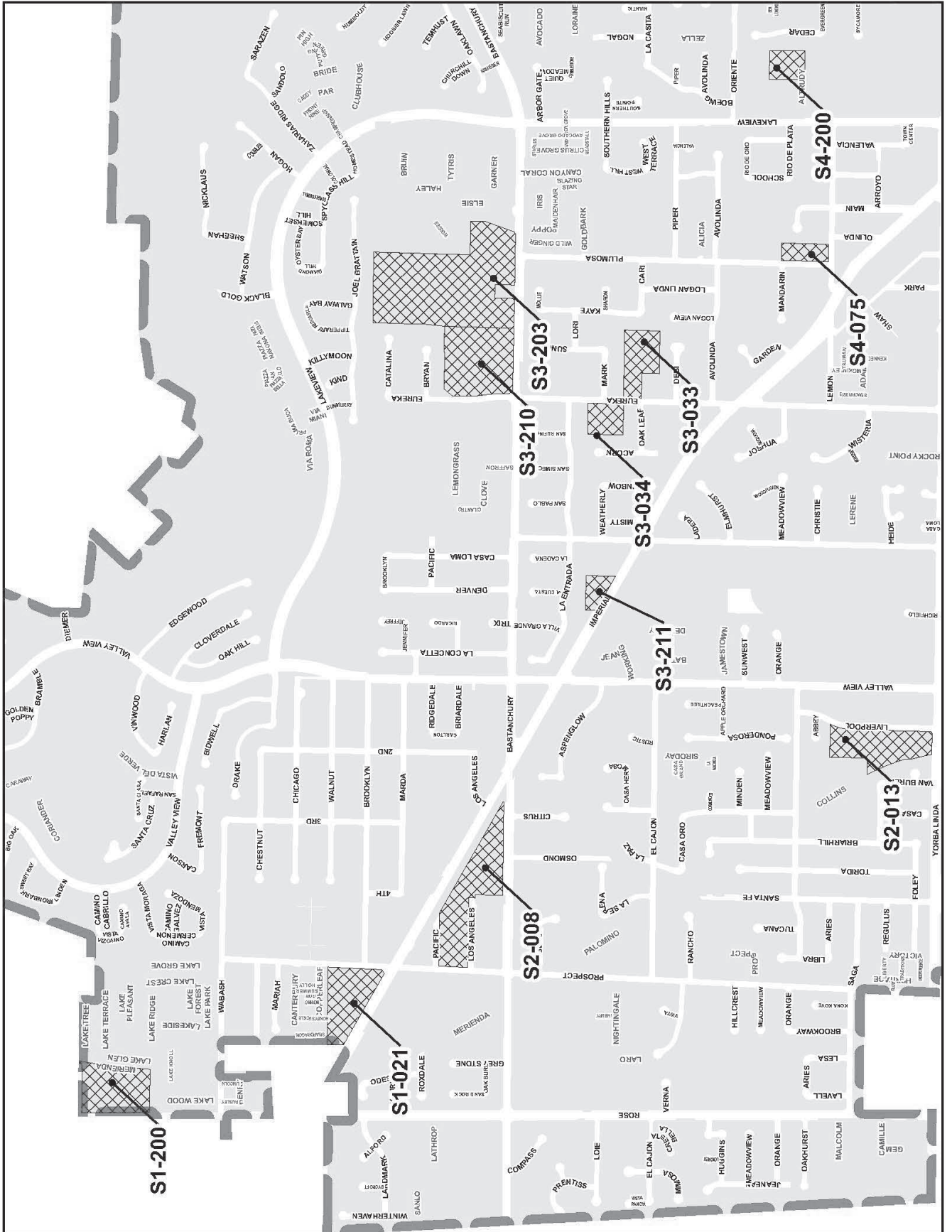
ITEM #18. The Yorba Linda Zoning Map is amended as follows:

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

ITEM #19. The Yorba Linda Zoning Map is amended as follows:

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

# Ballot Measures-Z





# Ballot Measures-Z



# Ballot Measures-Z



 Ballot Measures-ZImpartial Analysis  
City of Yorba Linda  
Measure Z

California state law mandates that cities establish land use regulations for locations within the City that can accommodate the existing and projected housing needs of households with different income levels in the community.

This Measure (implementing City of Yorba Linda Ordinance Nos. 2022-1091 and 2022-1093) increases the allowable number of residential units, along with maximum building heights, that can be built at specific locations within the City. The commonly known addresses/areas of the locations along with a "site" reference are:

Southeast corner Rose Drive and Blake Road. (S1-200)

18132 Yorba Linda Blvd. (S3-074)

4742 Plumosa Drive. (S4-075)

22722 Old Canal Road. (S6-015)

22711 Oak Crest Circle. (S6-020)

17151 Bastanchury Road. (S2-008)

5320 Richfield Road. (S3-012)

4861 Liverpool Street. (S2-013)

5091 and 5005 Mountain View Avenue. (S3-103)

19045 Yorba Linda Blvd. (S4-204A)

4382 Eureka Avenue. (S3-033)

18021-18111 Bastanchury Road. (S3-210)

Vacant Parcel west of 16951 Imperial Highway. (S1-021)

18597-18602 Altrudy Lane. (S4-200)

19081-19111 Yorba Linda Blvd. (S4-204B)

4341 Eureka Avenue. (S3-034)

5225-5227 Highland Avenue. (S3-205A)

17651 Imperial Highway. (S3-211)

18101-19251 Bastanchury Road. (S3-203)

If a majority of voters vote "yes", the Land Use Element and Land Use Diagram of the City's General Plan and the City's Zoning Map, Zoning Code and regulations will be amended to allow:

A maximum residential density of ten (10) dwelling units per acre: Sites S3-034, S3-205A, S3-211, and S3-203.

A maximum residential density of twenty (20) dwelling units per acre and a maximum building height of forty (40) feet or three stories, whichever is less: Sites S4-200 and S4-204B.

A maximum residential density of thirty-five (35) dwelling units per acre and a maximum building height of forty (40) feet or three (3) stories, whichever is less: Sites S1-200, S3-074, S4-075, S2-008, S3-012, S2-013, S3-103, S4-204A, S3-033, and S3-210.

A maximum residential density of thirty-five (35) dwelling units per acre and a maximum building height of fifty (50) feet or four (4) stories, whichever is less: Sites S1-021, S6-015, and S6-020.

The Measure does not require that housing is constructed on the sites but merely allows such housing to potentially be built. Whether a property is developed is up to the property owner.

The Measure was placed on the ballot by the Yorba Linda City Council as part of the City's effort to comply with State housing laws. If the City does not comply with such laws, the City is susceptible to legal ramifications such as decertification of the City's Housing Element, Attorney General and third party litigation, Court enforcement of State law, loss of local land use control and suspension of City authority over building permits or other land use approvals, judicial approval of projects, loss of funding, and substantial fines and attorney's fees.

THE ABOVE STATEMENT IS AN IMPARTIAL ANALYSIS OF MEASURE Z. IF YOU DESIRE A COPY OF THE ORDINANCES OR MEASURE, PLEASE CALL THE ELECTIONS OFFICIAL'S OFFICE AT (714) 961-7150 AND A COPY WILL BE MAILED AT NO COST TO YOU.

s/ Todd Litfin  
City Attorney





# Ballot Measures-Z

## Argument in Favor of Measure Z

Sacramento and the California Housing and Community Development Department have imposed enormous housing goals onto our city, and we have tough choices to make as a community. As your neighbors, we have been working diligently to preserve the character and charm of our beautiful city. We, and many community leaders, urge your **YES** vote on Measure Z to preserve local land-use control and protect Yorba Linda's quality of life.

### WHY?

A **YES** vote on Measure Z will help prevent Sacramento bureaucrats and other parties from changing the character and nature of our neighborhoods.

Yorba Linda is mandated by State law to designate areas for housing, and the city voters get to decide where those housing units are placed. Remember, cities do not build housing but it must zone for housing. If the measure fails, Sacramento bureaucrats would likely penalize the City and implement their own housing plan without our community's input. We could face third-party lawsuits and end up spending millions on attorneys and settlement fees, and there could be legal challenges to Measure B, which could remove your right to vote on land-use issues.

### KEEP LOCAL CONTROL!

If we approve the zoning, we meet a crucial milestone and the opportunity to approve projects goes to the City Planning Department to follow the usual path of analysis for each *individual* parcel. A great example of local control and cooperation was the agreement between the City and C & C Development to build the beautiful Altrudy Senior residential community near our Town Center, and they understood we wanted to keep the nature and character of Yorba Linda.

A **YES** vote on Measure Z would lead to the best possible scenario for Yorba Linda's charm and our Land of Gracious Living.

s/ Beth Haney

s/ Gene Hernandez

## Rebuttal to Argument in Favor of Measure Z

Let's not cry wolf when it isn't necessary. Approving a plan which will allow for high density housing in the areas that are least able to accommodate them only to avoid the small possibility of state fines is not the way to go. The possibility the city would vote down this proposal was built into the state approved plan which mostly negates the fear of state fines. Additionally, in June 2022, the State passed SB 197 which gave cities 3 extra years to complete their rezoning process further negating the likelihood of the potential state sanctions. There is no reason to rush this through now.

### WHY?

The city's current plan needs work. We need to support **rational** state housing needs and should allocate those needs equitably across the city.

Building heights possibly up to 3 and 4 stories in some areas is NOT in keeping with the resident passed Measure B nor is it the Nature and Character of Yorba Linda.

Additionally, the Auditor of the State of California has audited the methodology for determining the required state housing numbers. The HDC mandated numbers are now in question. A quote from the Agency: "Overall, our audit determined the HCD does not ensure that its needs assessment are accurate and adequately supported".

Let's wait and get this measure right! We'll vote again in 2024!

### Vote "NO on Housing Element Rezoning.

s/ Russell Heine

s/ Steven Harms

s/ Janice Morger



# Ballot Measures-Z

## Argument Against Measure Z

## Rebuttal to Argument Against Measure Z

Don't Throw Away Your Right to Vote !!!!

Currently, Yorba Linda has a certified housing element.

Vote "NO"- ResolutionNo.2022-5819, ResolutionNo.2022-5820, ResolutionNo.2022-5821 to implement high density in areas of Yorba Linda.

The City of Yorba Linda would be eligible to extend the time to review the areas of re-zoning only if our housing element remains certified. Cities that do not have a certified housing element are *not* able to extend their time for another vote. If we voters do not pass Measure Z on November 8<sup>th</sup>, 2022, we run the risk of HCD de-certifying our housing element, therefore exposing Yorba Linda to the will of the state and negating the opportunity to review our housing element. In essence, we could likely lose our ability to work together as a community to make the best of a bad situation.

When YL Measure B was voted in by the Citizens of the City in 2006 it had two main provisions; 1. A vote of the people to change any zoning. 2. Mandated a Maximum building height of 35 feet.

A NO vote may subject Yorba Linda to severe penalties including astronomical fines and loss of local control. Please continue to stay informed and visit our City housing element website at [www.ylhousingelementupdate.com](http://www.ylhousingelementupdate.com)

This rezoning measure raises allowable building heights in many zones in the city from 35' to 40' ,and as high as 50' in other areas and basically removes both of the original provisions by these changes. There will be no voting when these projects start being built in your neighborhood.

Please **VOTE YES** on Measure Z so we can work together as a community.

The highest density units are planned in areas where fire, egress, traffic, intersections and public infrastructure can't support current city needs as witnessed in past city emergencies like the fire evacuation situations.

s/ Beth Haney

An ongoing state audit of California Housing and Community Development (HCD) may reduce the amount of high density housing that the State will require. A new state law, SB 197, just passed and provides an additional 3 years to implement the plan. Let's take the time to do better.

s/ Gene Hernandez

Even our own City Mayor Rodriguez voted "no" to certifying the new Housing Plan.

This housing plan and its 3 resolutions is not a vote to provide low-income housing. Instead it is high density housing bonanza for developers.

If these development sites don't impact you now, remember you may be in the next housing cycle.

Don't give away your voice or your vote!

Keep Yorba Linda from becoming that city that you left to come to this land of "gracious living".

Vote "NO" on- ResolutionNo.2022-5819, ResolutionNo.2022-5820 , ResolutionNo.2022-5821 that invalidates Yorba Linda Measure "B".

s/ Russell Heine

s/ Patricia A. Heine

s/ Kyle Taylor

s/ Janice Morger

s/ Steve Harms