

RESOLUTION NO. 20-31

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA HABRA RECOMMENDING THAT THE CITY COUNCIL DENY: (1) GENERAL PLAN AMENDMENT 18-01 TO RECLASSIFY THE LAND USE DESIGNATION OF THE AREA CURRENTLY OCCUPIED BY THE "WESTRIDGE GOLF COURSE" FROM OPEN SPACE TO LOW DENSITY (0-8 UNIT/ACRE) RESIDENTIAL FOR PLANNING AREAS 2, 3 AND 4, AND MIXED USE 1 FOR PLANNING AREA 1 AND 5, OF THE RANCHO LA HABRA SPECIFIC PLAN, ALONG WITH TEXT AMENDMENTS TO CHAPTER 2, COMMUNITY DEVELOPMENT, CHAPTER 5, COMMUNITY SERVICES, CHAPTER 6, CONSERVATION/NATURAL RESOURCES; (2) ZONE CHANGE 18-01 AMENDING THE OFFICIAL LAND USE ZONING MAP BY REMOVING THE AREA GENERALLY KNOWN AS "THE WESTRIDGE GOLF COURSE" FROM THE LA HABRA HILLS SPECIFIC PLAN AND ADOPTING THE RANCHO LA HABRA SPECIFIC PLAN AS THE LAND USE DESIGNATION FOR THE SUBJECT SITE; (3) AMENDMENT #3 TO THE LA HABRA HILLS SPECIFIC PLAN; (4) ADOPTION OF THE RANCHO LA HABRA SPECIFIC PLAN; (5) DESIGN REVIEW 18-01 THROUGH 18-05 FOR RANCHO LA HABRA SPECIFIC PLAN AREAS 1, 2, 3, 4, 6, and 7; AND (6) DEVELOPMENT AGREEMENT 18-01 FOR THE RANCHO LA HABRA SPECIFIC PLAN AT 1400 SOUTH LA HABRA HILLS DRIVE; AND FIND THE ACTION EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

WHEREAS, CalAtlantic Homes, and its successor-in-interest, Lennar Homes, with the written authorization of the property owner ("Applicant"), applied for (1) General Plan Amendment 18-01 to change the Land Use Designation from Open Space to Low Density Residential (0-8 units/acre) for Planning Areas 2, 3 & 4, and to Mixed Use 1 for planning area 5 of the proposed Rancho La Habra Specific Plan; (2) Zone Change 18-01, amending the official land use zoning map to remove the area generally known as the "Westridge Golf Course" from the La Habra Hills Specific Plan and adopting the Rancho La Habra Specific Plan as the land use designation for the subject site; (3) Amendment #3 to the La Habra Hills Specific Plan; (4) adoption of the Rancho La Habra Specific Plan; (5) Design Review 18-01 through 18-05 for Rancho La Habra Specific Plan Areas 1, 2, 3, 4, 6, and 7; (6) Development Agreement 18-01 for the Rancho La Habra Specific Plan; and (7) Vesting Tentative Tract Map 17845, all for the project generally known as Rancho La Habra and located at 1400 South La Habra Hills Drive (collectively, the "Project"); and

WHEREAS, the Project proposes to change the land use designation and zoning for the purpose of developing up to 448 residential units (277 single-family homes and 171 multi-family dwelling units); and

WHEREAS, the Project applications were processed in the time and manner prescribed by state and local law; and

WHEREAS, an Environmental Impact Report (SCH No. 20151110945) was prepared for the Project; and

WHEREAS, notice of a public hearing regarding the Project and all requested entitlements was published in the *Orange County Register* on September 4, 2020, was mailed to all property owners in the City of La Habra, and was posted as required by state and local law; and

WHEREAS, the Planning Commission of the City of La Habra conducted a duly noticed public hearing which commenced on September 14, 2020 and continued at adjourned meetings of the Planning Commission on September 15 and September 16, 2020, at which time interested parties had an opportunity to and did testify either in support of, or in opposition to, the Project;

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF LA HABRA ("COMMISSION") DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1: RECOMMENDED DENIAL OF GENERAL PLAN AMENDMENT 18-01

The Commission hereby recommends that the City Council deny General Plan Amendment 18-01 and instead retain the Open Space land use designation on the Project site. The Commission's recommendation is based on the following:

- a) The proposed General Plan Amendment is not consistent with the overall vision statement and goals and policies of the General Plan.
- b) Conversion of the property from an open space use to the land uses contemplated by the Project is not consistent with the City's land use planning goals.
- c) The proposed General Plan Amendment would not maintain the appropriate balance of land uses within the City.
- d) The proposed General Plan Amendment to accommodate the Project's proposed land uses has the potential to create impacts on the community, including in the areas of traffic, housing affordability, and recreation.

SECTION 2: RECOMMENDED DENIAL OF ZONE CHANGE 18-01

Pursuant to Municipal Code section 18.78.060, the Commission hereby recommends that the City Council deny Zone Change 18-01 and instead retain the Open Space land use designation on the Project site. The Commission's recommendation is based on the following:

- a) The proposed Zone Change is not consistent with the existing General Plan and residential uses are not currently allowed on the Project site.

b) Absent the requested General Plan Amendment, adoption of the requested Zone Change would create an impermissible inconsistency with the General Plan.

c) The Commission has recommended denial of the requested General Plan Amendment.

SECTION 3: RECOMMENDED DENIAL OF AMENDMENT #3 TO THE LA HABRA HILLS SPECIFIC PLAN

The Commission hereby recommends that the City Council deny Amendment #3 to the La Habra Hills Specific Plan. The Commission's recommendation is based on the following:

a) The proposed Amendment #3 to the La Habra Hills Specific Plan is not consistent with the existing General Plan and residential uses are not currently allowed on the Project site.

b) Absent the requested General Plan Amendment, adoption of the requested Amendment #3 to the La Habra Hills Specific Plan would create an impermissible inconsistency with the General Plan.

c) The Commission has recommended denial of the requested General Plan Amendment.

SECTION 4: RECOMMENDED DENIAL OF THE RANCHO LA HABRA SPECIFIC PLAN

The Commission hereby recommends that the City Council deny adoption of the Rancho La Habra Specific Plan. The Commission's recommendation is based on the following:

a) The proposed Rancho La Habra Specific Plan is not consistent with the existing General Plan and residential uses are not currently allowed on the Project site.

b) Absent the requested General Plan Amendment, adoption of the Rancho La Habra Specific Plan would create an impermissible inconsistency with the General Plan.

c) The Commission has recommended denial of the requested General Plan Amendment.

SECTION 5: RECOMMENDED DENIAL OF DESIGN REVIEW 18-01 THROUGH 18-05

Pursuant to Municipal Code section 18.68.050, the Commission hereby recommends that the City Council deny Design Review 18-01 through 18-05. The Commission's recommendation is based on the following:

- a) The proposed Design Review 18-01 through 18-05 is not consistent with the existing General Plan and the Project site's zoning designation, and residential uses are not currently allowed on the Project site.
- b) Absent the requested General Plan Amendment, Amendment #3 to the La Habra Hills Specific Plan, and Zone Change, adoption of Design Review 18-01 through 18-05 would create an impermissible inconsistency with the General Plan and Project site's zoning designation.
- c) The Commission has recommended denial of the requested General Plan Amendment, Amendment #3 to the La Habra Hills Specific Plan, and Zone Change.
- d) The requested Design Review is not in the best interests of the public health, safety, and welfare of the community.
- e) The requested Design Review is not appropriate for the proposed location and is not compatible with the surrounding land uses and improvements.

SECTION 6: RECOMMENDED DENIAL OF DEVELOPMENT AGREEMENT 18-01

Pursuant to Government Code section 65867.5, the Commission hereby recommends that the City Council deny Development Agreement 18-01. The Commission's recommendation is based on the following:

- a) The proposed Development Agreement 18-01 is not consistent with the existing General Plan and the existing La Habra Hills Specific Plan, and residential uses are not currently allowed on the Project site.
- b) Absent the requested General Plan Amendment and Amendment #3 to the La Habra Hills Specific Plan, the Project is inconsistent with the General Plan, and thus approval of a Development Agreement for the Project would also be inconsistent with the General Plan and the La Habra Hills Specific Plan.
- c) The Commission has recommended denial of the requested General Plan Amendment and Amendment #3 to the La Habra Hills Specific Plan, and all other requested land use entitlements necessary to proceed with the Project.

d) As a result, the Commission does not support the proposed development rights that the Development Agreement would grant to the Applicant.

SECTION 7: CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDING

The Commission hereby recommends that the City Council find that denial of the Project is exempt from environmental review pursuant to Public Resources Code section 21080(b)(5), as the California Environmental Quality Act does not apply to projects that a public agency rejects or disapproves.

SECTION 8: CERTIFICATION OF RESOLUTION

The Planning Commission Secretary shall certify to the adoption of this resolution and transmit a copy thereof to the City Clerk and City Council.

Said motion CARRIED by the following roll call vote:

AYES: COMMISSIONERS:BERNIER, POWELL, MUNOZ, NIGSARIAN
NOES: COMMISSIONERS:MANLEY
ABSTAIN: COMMISSIONERS:NONE
ABSENT: COMMISSIONERS:NONE

Dated: September 17, 2020

ATTEST 
Carmen Gonzalez Avila, Secretary

APPROVED: 
Chairman, Daren Nigsarian

RESOLUTION NO. 20-32

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA HABRA DENYING VESTING TENTATIVE TRACT MAP 17845 AND FINDING THE ACTION EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

WHEREAS, CalAtlantic Homes, and its successor-in-interest, Lennar Homes, with the written authorization of the property owner ("Applicant"), applied for (1) General Plan Amendment 18-01 to change the Land Use Designation from Open Space to Low Density Residential (0-8 units/acre) for Planning Areas 2, 3 & 4, and to Mixed Use 1 for planning area 5 of the proposed Rancho La Habra Specific Plan; (2) Zone Change 18-01, amending the official land use zoning map to remove the area generally known as the "Westridge Golf Course" from the La Habra Hills Specific Plan and adopting the Rancho La Habra Specific Plan as the land use designation for the subject site; (3) Amendment #3 to the La Habra Hills Specific Plan; (4) adoption of the Rancho La Habra Specific Plan; (5) Design Review 18-01 through 18-05 for Rancho La Habra Specific Plan Areas 1, 2, 3, 4, 6, and 7; (6) Development Agreement 18-01 for the Rancho La Habra Specific Plan; and (7) Vesting Tentative Tract Map 17845, all for the project generally known as Rancho La Habra and located at 1400 South La Habra Hills Drive (collectively, the "Project"); and

WHEREAS, the Project proposes to change the land use designation and zoning for the purpose of developing up to 448 residential units (277 single-family homes and 171 multi-family dwelling units); and

WHEREAS, the Project applications were processed in the time and manner prescribed by state and local law; and

WHEREAS, an Environmental Impact Report (SCH No. 20151110945) was prepared for the Project; and

WHEREAS, notice of a public hearing regarding the Project and all requested entitlements was published in the *Orange County Register* on September 4, 2020, was mailed to all property owners in the City of La Habra, and was posted as required by state and local law; and

WHEREAS, the Planning Commission of the City of La Habra conducted a duly noticed public hearing which commenced on September 14, 2020, and continued at adjourned meetings of the Planning Commission on September 15 and September 16, 2020, at which time interested parties had an opportunity to and did testify either in support of, or in opposition to, the Project;

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF LA HABRA ("COMMISSION") DOES HEREBY FIND AND RESOLVE AS FOLLOWS:

SECTION 1: The above recitals are true and correct and are incorporated herein.

SECTION 2: Pursuant to the Municipal Code section 17.08.120 and the State Subdivision Map Act, the Commission hereby denies Vesting Tentative Tract Map ("VTTM") 17845 and finds as follows.

- a) The proposed VTTM 17845 is not consistent with the existing General Plan and the Project site's zoning designation, and residential uses are not currently allowed on the Project site.
- b) Absent the requested General Plan Amendment, Specific Plan Amendment, and Zone Change, approval of VTTM would create an impermissible inconsistency with the General Plan and Project site's zoning designation.
- c) The Commission has recommended denial of the requested General Plan Amendment, Specific Plan Amendment, and Zone Change.
- d) The Project site is not physically suitable for the land uses proposed by the Project, which would place urban uses on a site planned for open space uses, conversion of the property in a manner that is not consistent with the City's land use planning goals.
- e) The Project site is not physically suitable for the proposed density of development because the Project would place urban uses on a site planned for open space uses, resulting in conversion of the property in a manner that is not consistent with the City's land use planning goals.

SECTION 3: The Commission hereby finds that the Project is exempt from environmental review pursuant to Public Resources Code section 21080(b)(5), as the California Environmental Quality Act does not apply to projects that a public agency rejects or disapproves.

SECTION 4: The Planning Commission Secretary shall certify to the adoption of this resolution and transmit a copy thereof to the City Clerk and City Council.

Said motion CARRIED by the following roll call vote:

AYES: COMMISSIONERS: MUNOZ, POWELL, BERNIER, MANLEY,
NIGSARIAN
NOES: COMMISSIONERS: NONE
ABSTAIN: COMMISSIONERS: NONE
ABSENT: COMMISSIONERS: NONE

Dated: September 17, 2020

ATTEST: 
Carmen Gonzalez Avila, Secretary

APPROVED: 
Chairman, Darren Nigsarian