

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, APPROVING ZONE CHANGE 21-02 FOR AMENDMENTS TO TITLE 18 "ZONING," INCLUDING MODIFICATION OF SECTION 18.04.030 "TERMS DEFINED," MODIFICATION OF TABLE 18.06.040(A) "LAND USE MATRIX," REPLACEMENT OF SECTION 18.12.150 "ACCESSORY DWELLING UNITS," MODIFICATION OF SECTION 18.30 "SPECIAL NEEDS HOUSING," AND MODIFICATION OF SECTION 18.52.040.B AS PER EXHIBITS "A," "B," "C," "D," AND "E."

The City Council of the City of La Habra does hereby resolve as follows:

Section 1. The City Council does hereby find and determine that:

- a. City staff initiated proceedings to amend the zoning regulations established in Title 18 "Zoning" of the La Habra Municipal Code.
- b. California Government Code Section 65852.2 requires cities to establish standards to allow for accessory dwelling units so as to provide additional rental housing stock as an essential component of the housing supply in California.
- c. The purpose of these amendments is to comply with revised legislation related to accessory dwelling units.
- d. This project is exempt from the California Environmental Quality Act pursuant to Section 15061(b)(3) of the California Environmental Quality Act Guidelines which covers activities with no possibility of having a significant effect on the environment, and pursuant to California Public Resources Code § 21080.17 and CEQA Guidelines §§ 15282(h) which exempt from CEQA accessory dwelling unit ordinances. The ordinance is also exempt under CEQA Guidelines 15303 [new construction or small structures] and 15305 [minor alterations to land].
- e. The proposal has been reviewed pursuant to the requirements of the City's National Pollutant Discharge Elimination System (NPDES) Municipal Permit, the Local Implementation Plan (LIP), and the Model Water Quality Management Plan (WQMP), Section 7.2. Since no disturbance of soil will occur, this project is exempted by the Water Quality Ordinance from the preparation of a WQMP.
- f. The Planning Commission held a noticed public hearing on April 12, 2021 to consider Zone Change 21-02 for amendments to Title 18 Zoning of the La Habra Municipal Code. The Planning Commission, after considering all the written and oral evidence offered including the staff report and all attachments, recommended that the City Council approve the code amendments.

- g. The City Council held a noticed public hearing on May 17, 2021 to consider the proposed Amendments to Title 18 “Zoning” of the La Habra Municipal Code. The City Council, after considering all the written and oral evidence offered, including the Planning Commission's recommendation, the staff report and all attachments, approves the Code Amendments to Title 18.

Section 2 The City Council further determines that:

- a. The public necessity, convenience, general welfare and good zoning practices justify the proposed amendment to the Zoning Code as provided for under Chapter 18.78 “Zone Changes” of the La Habra Municipal Code.
- b. The City Council hereby determines that the proposed amendments to Title 18 “Zoning” of the La Habra Municipal Code are consistent with the goals and objectives of the La Habra General Plan 2035.
- c. The City Council also hereby determines that the proposed amendments to Title 18 “Zoning” of the La Habra Municipal Code are consistent with the goals and objectives of the La Habra General Plan 2035, specifically H 1.1 Support State Housing Policy, H 1.4 Variety of Housing, H 2.1 Maintain Residential Character, and H 2.5 Adequate Housing sites through Land Use and Zoning of the La Habra General Plan 2035.

Section 3. Based upon the foregoing, the City Council of the City of La Habra adopts an ordinance amending Title 18 “Zoning”, as per Exhibits “A,” “B,” “C,” “D,” and “E.”

Section 4. This ordinance shall become effective thirty (30) days from and after its passage.

Section 5. The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published and posted pursuant to the provisions of law in that regard.

PASSED, APPROVED AND ADOPTED this _____, day of _____ 2021.

Rose Espinoza, Mayor

ATTEST:

Laurie Swindell, CMC
City Clerk

APPROVED AS TO FORM:

Richard D. Jones, City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS.
CITY OF LA HABRA)

I, Laurie Swindell, City Clerk of the City of La Habra, do hereby certify that the above and foregoing is a true and correct copy of Ordinance No. _____ introduced at a regular meeting of the City Council of the City of La Habra held on the 17th day of May, 2021, and duly adopted at a regular meeting held on the _____ day of _____, 2021, by the following vote:

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

Witness my hand and the official seal of the City of La Habra on the _____ day of _____, 2021.

Laurie Swindell, CMC
City Clerk