

RESOLUTION NO. 21-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA HABRA RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE 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 Planning Commission of the City of La Habra does hereby resolve as follows:

Section 1. The Planning Commission does hereby find and determine that:

- a. The 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.

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.

Section 3. Based upon the foregoing, the Planning Commission of the City of La Habra recommends that the City Council approve the proposed Zone Change 21-02 for amendments to Title 18 Zoning of the La Habra Municipal Code. The Planning Commission Secretary shall certify to the adoption of this resolution and transmit a copy thereof to the City Clerk.

Said motion CARRIED by the following roll call vote:

AYES: COMMISSIONERS:
NOES: COMMISSIONERS:
ABSTAIN: COMMISSIONERS:
ABSENT: COMMISSIONERS:

Dated: April 12, 2021

ATTEST: _____
Carmen Gonzalez Avila, Secretary

APPROVED: _____
Daren Nigsarian, Chair