

RESOLUTION NO. 21-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA HABRA RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE PROHIBITING SHORT-TERM RESIDENTIAL RENTALS WITHIN THE CITY OF LA HABRA

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

- a. The City staff initiated proceedings to add Chapter 5.26 “Short-term Residential Rentals” to Title 15 “BUSINESS LICENSES AND REGULATIONS” of the La Habra Municipal Code as per Exhibit A.
- b. The City staff initiated proceedings to add to SECTION 1.08.020(A) “SECTION 5.26.010 VIOLATION – NUISANCE” of TITLE 1 “GENERAL PROVISIONS” to the La Habra Municipal Code.
- c. The City staff initiated proceedings to Amend TITLE 18 “ZONING”, ADDING CHAPTER 18.08.140 “SHORT-TERM RESIDENTIAL RENTALS”, to the La Habra Municipal Code as follows:

18.08.140 SHORT-TERM RESIDENTIAL RENTALS

A short-term residential rental is a permitted use in the following zones only upon this issuance of an operating permit/license by the City pursuant to Chapter 5.26 of the La Habra Municipal Code:

| | |
|------|----------------------------------|
| R-1a | One-family zone |
| R-1b | One-family zone |
| R-1c | One-family zone |
| R-2 | Two-family zone |
| R-3 | Limited multiple-family zone |
| R-4 | Multiple-family dwelling zone |
| R-5 | Multiple-family dwelling zone |
| R-6 | Multiple-family dwelling zone |
| R-7 | Multiple-family dwelling zone |
| SP-1 | La Habra Boulevard specific plan |

- d. These proposed amendments are 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].

- f. The Planning Commission held a noticed public hearing on June 28, 2021 to consider the addition of Chapter 5.26 “Short-term Residential Rentals”, to Title 5 “Business Licenses and Regulations”; the addition to Section 1.08.020(a) of “Section 5.26.010 Violation – Nuisance” to Title 1 “General Provisions” and Zone Change 21-03 amending Title 18 “Zoning” adding Chapter 18.08.140 “Short-term Residential Rentals”. The Planning Commission, after considering all the written and oral evidence offered including the staff report and all attachments, recommended that the City Council prohibit Short-term Residential Rentals in the City of La Habra.

Section 2 The Planning Commission further determines that:

- a. The public necessity, convenience, general welfare and good zoning practices do not justify the proposed amendments to the Title 1, Title 5 and Title 18 of the La Habra Municipal Code
- b. The Planning Commission hereby determines that the proposed amendments are inconsistent 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 prohibit Short-term Residential Rentals in the City of La Habra. 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: June 28, 2021

ATTEST: _____ APPROVED: _____
Veronica Lopez, Secretary Jason Manley, Chair