

## ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, APPROVING ZONE CHANGE 22-01 TO AMEND THE FOLLOWING CHAPTERS OF TITLE 18 ZONING: CHAPTER 18.04 DEFINITIONS, MODIFYING THE DEFINITION OF "FOOD TO GO RESTAURANT", CHAPTER 18.06 ZONES ESTABLISHED - ZONING MAP BOUNDARIES AND LAND USES, ADDING "FOOD TO GO" AS A PERMITTED USE OUTRIGHT, CHAPTER 18.08 GENERAL PROVISIONS, EXEMPTING THE CITY FROM THE PROVISIONS OF TITLE 18, CHAPTER 18.12 SPECIAL DEVELOPMENT STANDARDS, MODIFYING THE OUTDOOR SEATING REQUIREMENTS FOR RESTAURANTS, CHAPTER 18.14 OFF-STREET PARKING REQUIREMENTS, MODIFYING THE PARKING STANDARDS FOR "FOOD TO GO" RESTAURANTS TO BE CONSISTENT WITH ITS DEFINITION, AND CHAPTER 18.80 AFFORDABLE HOUSING INCENTIVES MODIFYING THE STANDARDS AND TEXT FOR CONSISTENCY WITH STATE LAW AS PER EXHIBITS "A" THROUGH "F."

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 for Zone Change 22-01 to amend sections of Title 18 Zoning of the La Habra Municipal Code.
  - b. This project was reviewed pursuant to the guidelines of the California Environmental Quality Act (CEQA) and determined to be exempt pursuant to Section 15061(b)(3), of the CEQA guidelines which covers activities with no possibility of having a significant effect on the environment.
  - c. 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.
  - d. The Planning Commission held a duly noticed public hearing on March 28, 2022 to consider amendments to Title 2 Administration and Organization and Zone Change 22-01 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 not adopt an ordinance approving the code

amendments to Title 2 and recommended that the City Council approve Zone Change 22-01 as per Exhibits B through G.

- e. The City Council held a duly noticed public hearing on April 18, 2022 to consider the proposed amendments excluding Title 2 Administration and Organization and including Zone Change 22-01 for 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.

Section 2. The City Council further finds and determines that:

- a. The City Council take no action to amend Title 2 Administration and Organization of the La Habra Municipal Code.
- b. The public necessity, convenience, general welfare and good zoning practices justify the proposed amendments to the La Habra Municipal Code.
- c. The proposed amendments to 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 City Council of the City of La Habra does approve an Ordinance adopting Zone Change 22-01 for amendments to Title 2 and Title 18 Zoning as per Exhibits B through G.

**PASSED, APPROVED AND ADOPTED** this \_\_\_\_\_, day of May, 2022.

\_\_\_\_\_  
Jose Medrano, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
Richard D. Jones, City Attorney

ATTEST:

\_\_\_\_\_  
Laurie Swindell, CMC  
City Clerk

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 18<sup>th</sup> day of April, 2022, and duly adopted at a regular meeting held on the \_\_\_\_\_ day of May, 2022, 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 this \_\_\_\_\_ day of May, 2022.

\_\_\_\_\_  
Laurie Swindell, CMC  
City Clerk