

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, APPROVING ZONE CHANGE 22-02 TO AMEND TITLE 18 ZONING OF THE LA HABRA MUNICIPAL CODE (LHMC), CHAPTER 18.12 SPECIAL DEVELOPMENT STANDARDS, SECTION 18.12.140 OUTDOOR SEATING AREA, MODIFYING THE OUTDOOR SEATING REQUIREMENTS FOR RESTAURANTS AS PER EXHIBIT "A"

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 22-02 to amend a section 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 because there is no development project being proposed under Zone Change 22-02. An environmental analysis and determination will be completed as part of future Conditional Use Permit and/or Administrative Adjustment applications in accordance with CEQA.
- 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 August 22, 2022 to consider Zone Change 22-02 for an amendment 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 amendment.
- e. The City Council held a duly noticed public hearing on September 19, 2022 to consider the proposed Zone Change 22-02 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 amendment.

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

- a. The public necessity, convenience, general welfare and good zoning practices justify the proposed amendment to the La Habra Municipal Code.

- b. The proposed amendment to the La Habra Municipal Code is 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 22-02 for amendments to Title 18 Zoning as per Exhibit "A."

PASSED, APPROVED AND ADOPTED this 3rd day of October, 2022.

Jose Medrano
Mayor

APPROVED AS TO FORM:

Richard D. Jones
City Attorney

ATTEST:

Rhonda J. Barone, CMC
Assistant City Clerk

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

I, Rhonda J. Barone, CMC, Assistant 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 19th day of September, 2022, and duly adopted at a regular meeting held on the 3rd day of October, 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 on the 3rd day of October, 2022.

Rhonda J. Barone, CMC
Assistant City Clerk