

THE MINUTES OF THE MEETING OF THE PLANNING COMMISSION
OF THE CITY OF LA HABRA

November 13, 2023

CALL TO ORDER: Chair Rojas called the Regular Meeting of the Planning Commission of the City of La Habra to order at 6:30 p.m. in the Council Chamber.

PLEDGE OF ALLEGIANCE: LED BY COMMISSIONER MAHECHA

COMMISSIONERS PRESENT: ROJAS
SURICH
BERNIER
MAHECHA
MANLEY

COMMISSIONERS ABSENT: NONE

OTHERS PRESENT: DIRECTOR: KIM
PLANNING MANAGER: LUI
SENIOR PLANNER: QUIROZ
SECRETARY: LOPEZ
CITY ATTORNEY: ROBERTO

PUBLIC COMMENT

Chair Rojas asked if there was anyone in the audience that wished to speak on any item not listed on the agenda. There were none.

CONSENT CALENDAR

Chair Rojas explained the Consent Calendar procedures. She asked if there were any members of the public or any Commissioners that wished to have any item removed. There were none.

Moved by Commissioner Mahecha, seconded by Vice Chair Surich, to approve the Consent Calendar. Motion passed 5-0 with Chair Rojas abstaining from Item No. 2 .

1. **PROCEDURAL WAIVER:** Waive reading in full of resolutions and ordinances and approval and adoption of same by reading title only.
2. Approval of the Planning Commission Minutes of October 23, 2023.
3. Extension of the time period for abatement for Public Nuisance at Coyote Village located at 901-997 West imperial Highway.

PUBLIC HEARINGS

1. DULY NOTICED PUBLIC HEARING TO CONSIDER AND APPROVE A RECOMMENDATION TO THE CITY COUNCIL REGARDING THE FOLLOWING ZONE CHANGES THAT ARE NECESSARY TO IMPLEMENT THE HOUSING ELEMENT OF THE CITY'S GENERAL PLAN:
 1. ZONE CHANGE 23-03 TO AMEND CHAPTERS 18.04 (DEFINITIONS), 18.06 (ZONES ESTABLISHED), 18.10 (REASONABLE ACCOMMODATIONS IN HOUSING TO DISABLED INDIVIDUALS), 18.14 (OFF-STREET PARKING REQUIREMENTS), 18.26 (R-2, R-3, R-4, R-5, R-6 AND R-7 MULTIPLE FAMILY DWELLING ZONES), 18.30 (SPECIAL NEEDS HOUSING), 18.80 (AFFORDABLE HOUSING INCENTIVES), AND 18.82 (INCLUSIONARY HOUSING UNITS) OF TITLE 18 (ZONING) OF THE LA HABRA MUNICIPAL CODE.
 2. ZONE CHANGE 23-04 TO ADD CHAPTER 18.09 (OBJECTIVE DESIGN STANDARDS FOR MULTI-UNIT RESIDENTIAL AND MIXED-USE DEVELOPMENT) TO TITLE 18 (ZONING) OF THE LA HABRA MUNICIPAL CODE TO GUIDE THE DESIGN OF MULTI-UNIT RESIDENTIAL AND MIXED-USE DEVELOPMENT AND AMEND CHAPTER 18.68 (DESIGN REVIEW) TO ENSURE THE APPLICATION AND CONSISTENCY WITH THE STANDARDS FOR MULTI-UNIT RESIDENTIAL AND MIXED-USE PROJECTS.
 3. ZONE CHANGE 23-05 TO ADD CHAPTER 18.84 (MULTI-UNIT RESIDENTIAL AND MIXED-USE DEVELOPMENT MINISTERIAL REVIEW PROCESS) TO TITLE 18 (ZONING) OF THE LA HABRA MUNICIPAL CODE IN ACCORDANCE WITH SENATE BILL 35 (SB 35).

Chair Rojas asked if any correspondence had been received in regards to the item. Secretary Lopez said none had been received.

Senior Planner Quiroz presented the staff report and noted that the City Attorney advised that Section 18.68.050(D) of the draft resolution, relating to design review findings, should be further revised by removing unnecessary language requiring that the Commission make a finding that a proposed project is consistent with the objective design standards under Chapter 18.09 of the La Habra Municipal Code.

Chair Rojas asked if any of the Commissioners had any questions.

Vice Chair Surich asked staff to clarify if group housing included care facilities operated by individuals in private homes. Senior Planner Quiroz replied that facilities not licensed by the State are included in the "unlicensed group homes" category.

Commissioner Manley asked staff to verify if the requested changes read into the record by staff pertained to Zone Change 23-04. Senior Planner Quiroz said that was correct.

Chair Rojas opened the public hearing and asked if there was anyone wishing to speak in favor of the proposed amendments. Seeing no one in the audience, Chair Rojas closed the public hearing and asked the Commission to begin a discussion or entertain a motion.

Commissioner Bernier asked staff to explain how the CEQA exemption is being applied for the proposed zone code changes. Senior Planner Quiroz explained that these zoning code amendments are policy changes that have no environmental impacts and therefore are exempt from CEQA. Director Kim explained that once these zoning code amendments are in place and people submit plans for specific

projects if those projects are permitted by right, they are exempt from CEQA, but if a project is under a discretionary review, it is subject to complying with CEQA guidelines.

Moved by Vice Chair Surich and seconded by Commissioner Mahecha, Approving Resolution No. 23-18 Entitled: A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA HABRA, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE APPROVING ZONE CHANGE 23-03 TO AMEND CHAPTERS 18.04 (DEFINITIONS), 18.06 (ZONES ESTABLISHED), 18.10 (REASONABLE ACCOMMODATIONS IN HOUSING TO DISABLED INDIVIDUALS), 18.14 (OFF-STREET PARKING REQUIREMENTS), 18.26 (R-2, R-3, R-4, R-5, R-6 AND R-7 MULTIPLE FAMILY DWELLING ZONES), 18.30 (SPECIAL NEEDS HOUSING), 18.80 (AFFORDABLE HOUSING INCENTIVES), AND 18.82 (INCLUSIONARY HOUSING UNITS) OF TITLE 18 (ZONING) OF THE LA HABRA MUNICIPAL CODE FOR CONFORMANCE WITH STATE LAW AND AS REQUIRED BY THE CITY'S 2021-2029 HOUSING ELEMENT AND MAKING A DETERMINATION THAT THE ORDINANCE IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) UNDER SECTION 15061(B)(3) (COMMON SENSE EXEMPTION) OF THE CEQA GUIDELINES.

The roll call vote was as follows:

AYES: COMMISSIONERS: SURICH, MAHECHA, ROJAS, BERNIER, MANLEY
NOES: COMMISSIONERS: NONE
ABSTAIN: COMMISSIONERS: NONE
ABSENT: COMMISSIONERS: NONE

Moved by Commissioner Manley and seconded by Commissioner Bernier, Approving Resolution No. 23-19 with an amendment to Section 18.68.050(D) as recommended by the City Attorney, Entitled: A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA HABRA, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE APPROVING ZONE CHANGE 23-04 TO ADD A NEW CHAPTER 18.09 (OBJECTIVE DESIGN STANDARDS FOR MULTI-UNIT RESIDENTIAL AND MIXED-USE DEVELOPMENT) AND AMEND CHAPTER 18.68 (DESIGN REVIEW) OF TITLE 18 (ZONING) OF THE LA HABRA MUNICIPAL CODE AND MAKING A DETERMINATION THAT THE ORDINANCE IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) UNDER SECTION 15061(B)(3) (COMMON SENSE EXEMPTION) OF THE CEQA GUIDELINES.

The roll call vote was as follows:

AYES: COMMISSIONERS: MANLEY, BERNIER, ROJAS, SURICH, MAHECHA
NOES: COMMISSIONERS: NONE
ABSTAIN: COMMISSIONERS: NONE
ABSENT: COMMISSIONERS: NONE

Moved by Commissioner Bernier and seconded by Commissioner Mahecha, Approving Resolution No. 23-20 Entitled: A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA HABRA,

CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE APPROVING ZONE CHANGE 23-05 TO ADD A NEW CHAPTER 18.84 (MULTI-UNIT RESIDENTIAL AND MIXED-USE DEVELOPMENT MINISTERIAL REVIEW PROCESS) TO TITLE 18 (ZONING) OF THE LA HABRA MUNICIPAL CODE IN ACCORDANCE WITH SENATE BILL 35 AND MAKING A DETERMINATION THAT THE ORDINANCE IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) UNDER SECTION 15061(B)(3) (COMMON SENSE EXEMPTION) OF THE CEQA GUIDELINES.

The roll call vote was as follows:

AYES: COMMISSIONERS: BERNIER, MAHECHA, ROJAS, SURICH, MANLEY
NOES: COMMISSIONERS: NONE
ABSTAIN: COMMISSIONERS: NONE
ABSENT: COMMISSIONERS: NONE

COMMENTS FROM STAFF

Planning Manager Lui informed the Commission that the General Plan amendments involving the update to the City's Community Safety Element and the introduction of a new Environmental Justice component will be re-noticed for the December 11 meeting to allow staff to continue working on those updates. She also said since there are no items ready to be heard on November 27, 2023, staff recommends that the Commission adjourn the meeting to December 11, 2023.

COMMENTS FROM COMMISSIONERS

Commissioner Bernier said she was glad to see these zoning updates going through.

Vice Chair Surich thanked those that attended the Veteran's Day event and invited staff to the December 9th Army vs. Navy football game at Sonora High School.

Chair Rojas wished everyone a happy holiday and thanked staff for their work.

ADJOURNMENT: 6:59 p.m. to the Planning Commission meeting on December 11, 2023.

Respectfully submitted,

Veronica Lopez,
Secretary