

ORDINANCE NO. 1789

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA APPROVING ZONE CHANGE #17-01 FOR THE PLACEMENT OF A PRE-ZONE OF C-2 (COMMERCIAL) ONTO THE PROPERTIES ADDRESSED AS 2331 TO 2371 AND 2601 WEST WHITTIER BOULEVARD AND MAKING THE APPROPRIATE FINDINGS

WHEREAS, all legal notices and property owner notifications were performed as required by law for consideration by the City Council of the City of La Habra of an ordinance approving Zone Change No. 17-01 for the placement of a Pre-Zone of C-2 (Commercial) onto the properties addressed as 2331 to 2371 and 2601 West Whittier Boulevard; and,

WHEREAS, La Habra Municipal Code Section 18.78.070 places a Pre-Zone of R-1a one-family dwelling zone on properties annexed into the City of La Habra; and,

WHEREAS, the La Habra General Plan 2035 Land Use designation for the property addressed as 2331 to 2371 West Whittier Boulevard is Corridor Mixed Use 1 and the property at 2601 West Whittier Boulevard as Commercial Highway; and

WHEREAS, these same parcels are developed with commercial land uses and have a County Zoning designation of C-2 (General Commercial); and,

WHEREAS, the City will be requesting that the Orange County Local Agency Formation Commission annex the properties into La Habra as part of the Macy-Randall Island LH-1; and,

WHEREAS, the Land Use designation and Zoning designation are to be consistent with each other before annexation; and,

WHEREAS, the Planning Commission considered Zone Change #17-01 at their regular meeting of November 27, 2017, including review of the staff report and public testimony on the item, has recommended that the City Council approve Zone Change No. 17-01; and,

WHEREAS, the City Council, having considered Zone Change #17-01 at their regular meeting of December 18, 2017, including review of the staff report, public testimony on the item, and recommendation of the Planning Commission, has determined the proposed request is justified; and,

NOW, THEREFORE BE IT RESOLVED, the City Council of the City of La Habra approves Zone Change #17-01 for the placement of a pre-zone of C-2

(Commercial) onto the properties addressed as 2331 to 2371 and 2601 West Whittier Boulevard as per Exhibit "A".

Section 1. The City Council further finds and determines that the following findings are made:

- a. That the granting of the Zone Change will not be detrimental to the public welfare or injurious to the properties or improvements in such vicinity in which the properties are located.

Commercial uses exist on the properties. The County of Orange designates the properties as C-2 (General Commercial). The La Habra General Plan 2035 Land Use designation for the property addressed as 2331 to 2371 West Whittier Boulevard is Corridor Mixed Use 1 and the property at 2601 West Whittier Boulevard as Commercial Highway. The placement of a Pre-Zone of C-2 (Commercial) designation on the subject parcels would be consistent with the La Habra General Plan 2035 Land Use designations and the existing County of Orange Zoning designation of C-2 (General Commercial). No development is proposed.

- b. That the granting of such Zone Change will not adversely affect the Comprehensive General Plan.

The La Habra General Plan 2035 Land Use designation for the property addressed as 2331 to 2371 West Whittier Boulevard is Corridor Mixed Use 1 and the property at 2601 West Whittier Boulevard as Commercial Highway. The placement of a Pre-Zone of C-2 (Commercial) designation on the subject parcels would be consistent with the La Habra General Plan 2035 Land Use designations and the existing County of Orange Zoning designation of C-2 (General Commercial).

- c. That no deed restrictions or easements prohibit reclassification and/or any uses permitted under the proposed pre-zoning on the property in question.

Commercial uses exist on the properties under the jurisdiction of the County of Orange. The County of Orange Zoning designation for the properties is C-2 (General Commercial). The proposed action is to Pre-Zone the properties as C-2 (Commercial) for consistency with the La Habra General Plan 2035 Land Use designation and consistency with the County of Orange Zoning designation. Staff is not aware of any deed

restrictions or easements that would prohibit the Pre-Zone of the properties.

- d. That these particular properties are more suitable for the uses permitted in the proposed zone than for the uses permitted in the present zone.

Commercial uses exist on the properties. The County of Orange Zoning designation for the properties is C-2 (General Commercial). The proposed City Pre-Zone of the properties to C-2 (Commercial) continues the commercial designation on the properties once annexed into the City of La Habra. There is no proposed development of the parcels as part of the Pre-Zone.

Section 2 The proposed Zone Change to Pre-Zone the properties for consistency with the County of Orange Zoning designation of (General Commercial), was reviewed pursuant to the guidelines of the California Environmental Quality Act (CEQA) and determined to be exempt pursuant to Section 15061(b) (3). The proposed action only places the pre-zone C-2 (Commercial) designation on the two parcels for consistency with the County of Orange C-2 (General Business) Commercial Zoning designation. No site improvements are proposed.

Section 3 The City Council of the City of La Habra finds that all requirements of law for the Pre-Zoning of the properties as identified in Exhibit "A", including giving the required public notice, conducting a public hearing, and making all necessary findings have been made. The City Council of the City of La Habra Pre-Zones the subject properties C-2 (Commercial) and is to become effective at the time the properties are annexed into the City of La Habra.

Section 4 The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published in the manner required by law. This Ordinance shall become effective thirty (30) days from and after its passage.

PASSED, APPROVED AND ADOPTED this 16th day of January, 2018.

Michael Blazey, Mayor Pro Tem

Attest:

Tamara D. Mason, MMC, City Clerk

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

I, Tamara D. Mason, 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. 1789 introduced at a regular meeting of the City Council of the City of La Habra held on the 18th day of December 2017, and was thereafter adopted at a regular meeting held on the 16th of January 2018, by the following vote:

AYES: COUNCILMEMBERS: Beamish, Espinoza, Gomez, Blazey
NOES: COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: Shaw
ABSTAIN: COUNCILMEMBERS: None

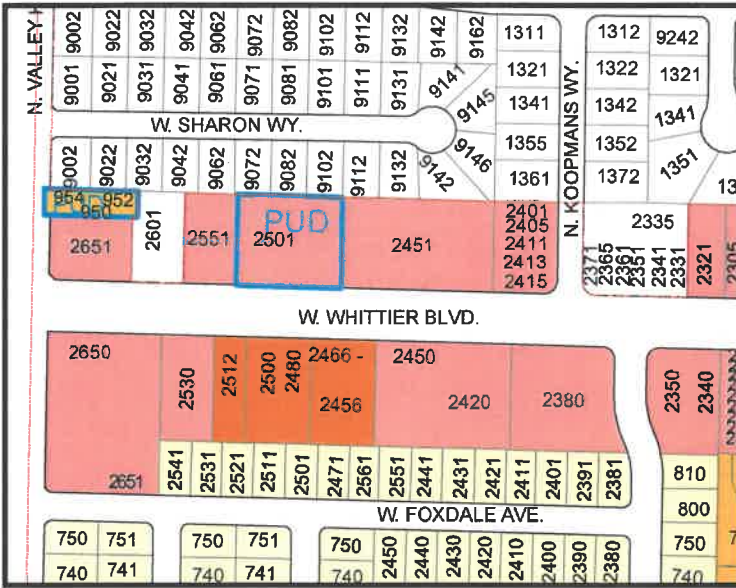
Said ordinance has been published or posted pursuant to law.

Witness my hand and the official seal of the City of La Habra this 16th day of January, 2018.

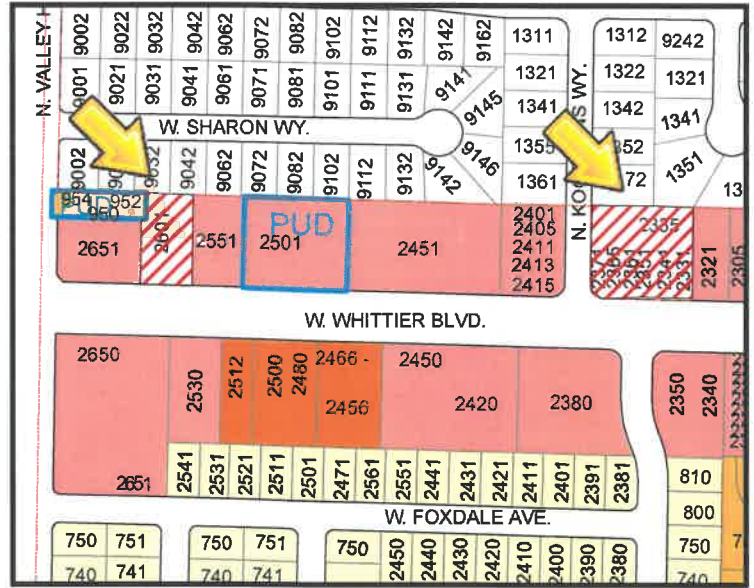
Tamara D. Mason, MMC, City Clerk






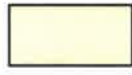
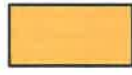
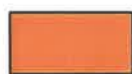
Proposed Revision to the La Habra Land Use Zoning Map



EXISTING



PROPOSED

-  PUD Planned Unit Development
-  Pre-zone of C-2 Commercial
-  C-2 Commercial
-  R-1c One Family Dwelling
-  R-3 Limited Multiple Family Dwelling
-  R-4 Multiple Family Dwelling

